State and Education

THE ENGLISH CITIZEN:

HIS RIGHTS AND RESPONSIBILITIES



THE STATE

IN

ITS RELATION TO EDUCATION

BY

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To the Memory

OF

FRANCIS RICHARD, LORD SANDFORD

OF SANDFORD

P.C., K.C.B., LL.D., ETC.

Under whom I had the privilege of serving for many years, and thus learned how large is the debt which the cause of National Education owes to him, and to the strenuous and faithful work of his life.

PREFACE TO REVISED EDITION

In preparing for the press a new edition of this volume, I have added a few pages to the accounts of English and Scottish Education respectively, in which the history of the thirteen or fourteen years which have passed since the book first appeared, is shortly summarised, and the general results are estimated. Although, during these years, education has not occupied any very large place in the Statute Book, the administrative and financial developments have been very marked. The State has already added Technical Education to the domain over which her influence extends. State interference with Secondary Education is an accomplished fact in Scotland, and in England is in immediate contemplation. The vast financial change which transferred to the State the burden which previously fell upon the parent, has been carried out in both countries.

The present juncture, when a measure is under the consideration of Parliament, which must, so far as England is concerned, alter fundamentally the relations of the State to National Education, seems not an unfitting one to take stock of the system which has so far prevailed, and to estimate its results.

H. C.

1896.

PREFACE TO THE FIRST EDITION

It seems necessary to say a few words as to the scope and aim of this treatise. The growth of our State system of National Education is a matter so recent that it is not enough to describe the details of arrangements as they actually exist. If they are to be properly understood, we must pass in review the efforts which were first made, the compromises effected, the changes and modifications introduced, during the last fifty years. At every point our national education system bears traces of its peculiar growth, and shows itself to be the result of compromise.

Had the limits assigned to the volumes of this series permitted, it might have been desirable to refer to two other matters. The first of these is the further development of the system as indicated, on the one hand, in the changes recently introduced, and now engaging most serious attention, whose object is to mitigate any undue rigidity in the Code which the Education Department administers; on the other hand, in the extension of the influence of the State to Secondary Education, already accepted in Scotland, and likely soon to occupy attention as regards England. The second is a comparison of other systems with our own.

But to anticipate the future introduces an element of uncertainty which, in treatises like the present, it is desirable to avoid. Any comparison, again, which could be attempted, must rest upon evidence so imperfect, and must take account of conditions so various and so incapable of uniform treatment, as to render more than doubtful such general inferences as are often drawn. It is enough to say that whatever lessons we may have to learn from others, we have at least no reason to feel ashamed of the present position of England and Scotland as regards Primary Education; and during the last decade we have a record of advance such as can probably be rivalled by none.

H. C.

1882.

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THE STATE AND EDUCATION DOWN TO THE DATE OF THE FIRST ANNUAL GRANTS

THE recognition by the English State of its paramount duty in aiding the work of national education is only two generations old. The recognition of the further and far more extensive work of supplementing by State aid, or by State agency, all deficiencies in the supply of schools, dates only twenty-six years back; while the equally pressing duty of enforcing, by a universal law, the use of the opportunities of education thus supplied, was introduced into the Statute book only in 1880. The State has only slowly stepped into its proper place; more slowly in the case of England than in the case of any other of the leading European nations.

This work in early times was left in the hands of the Church, whose authority was almost co-extensive with the State, and whose agency was necessarily adopted as the one most fitted to affect the intellectual training of the people. The earliest schools were those connected with the monasteries, and their first establishment is scarcely later than the adoption of Christianity by the

English people. In 680, Theodore, Archbishop of Canterbury, established such a school in connection with the church which was founded by Augustine. And, until the confusion that was caused by the havoc of Danish invasion, the work thus begun was gradually and prosperously developed. These times of trouble were scarcely over when Alfred saw the need of supplementing his work of pacification by reviving the schools. He set his hand earnestly to that work, and not only did he give new opportunities for learning by gathering together the scattered remnants of the old foundations, but he also established something that gives a foretaste of the compulsory system, by insisting on the obligation of parents to provide for their children an education corresponding to their rank in the State and to their wealth. The work thus revived by Alfred was carried on vigorously by the Church during the succeeding centuries; and after the Conquest the greater learning and energy of the Anglo-Norman clergy bore fruit in the foundation of new schools in almost every town of any importance. Each of the cathedral establishments had its school; and in the cathedral school not the clergy only, but the laity, received instruction; and, after the example of these schools, the grammar schools, which in the succeeding generations spread rapidly over the country, took their form. In the fourteenth and fifteenth centuries some of the foundations which have most powerfully stimulated learning and education in England first saw the light; and, although the Wars of the Roses for a short time checked this general activity, it was revived, under new conditions, at the close of the fifteenth century, with the added stimulus derived from

the new invention of printing and from the intellectual movement of the New Learning which was approaching England from the Continent.

Hitherto all the foundations had been connected more or less closely with the Church. The original schools of the monasteries had been most directly under the government of the priesthood; but cathedral schools also, even though they provided for the laity, had still been religious foundations; and the same predominant influence continued to prevail in the earlier grammar schools. One and all, they had been the means whereby the Church, in the sense of the priesthood, was enabled to maintain its hold more thoroughly upon the people. With the Reformation there came a new impulse towards the foundation of new schools. It was still a religious impulse, but it reflected the change which had taken place in the relations between the Church and the State. The post-Reformation grammar schools in many points repeated the main features of the old foundations. There was no thought of a divorce of the school from religion, nor even of lessening the function of the Church as a whole. But the priesthood were no longer supreme. The laity were not only to derive benefit from the schools, but were to be associated with the clergy in their management. The theory of Sir James Kay Shuttleworth[1] is, in the main, the true one, that in these new foundations the congregation was substituted for the monk, the joint action of clergy and laity for the exclusive control of the priest; and therein lies the chief product of the Reformation so far as schools were concerned.

[1] *Public Education*, p. 242.

It was one of the chief aims of those who led in the intellectual movements of the early part of the sixteenth century, and of those who took a prominent part in the Reformation, to secure for education a large share in the spoils of the monasteries. Colet, Erasmus, Warham, Grocyn, and Sir Thomas More had all looked with expectation to a re-awakening of the people by education, and had formed high hopes in the earlier days of Henry VIII.; and when the work of the Reformation was actually far advanced, Cranmer had a scheme of new schools for every class, in connection with the new cathedrals which he had hoped to see established. But the sixteen new cathedral foundations dwindled down to six, and Cranmer's scheme was only realised in outline. The spoils of the monasteries fell into other hands, and it was left to private charity to supplement the deficiencies which private greed had caused. Henry VIII. founded only ten grammar schools, Edward VI. twenty-seven, and Mary and Elizabeth thirty between them. But during these reigns the stream of private charity was abundant. In all, two hundred and fifty higher or grammar schools, out of a total of seven hundred, were founded under the immediate impulse of the Reformation and of the intellectual movement which went hand in hand with it.

The objects of the leaders of this movement were courageous and high, but it may be questioned whether their foundations did not often fail by aiming at a standard of education in advance of the wishes of the people. In large measure they desired, no doubt, that which they accomplished—the provision of education for the middle class. But there is also abundant evi-

dence that they felt, although they did not sufficiently provide for, the need of education for the poor. This last aspect of the question was only slowly opening itself to men's eyes. A century before it had seemed as if the mass of the people delegated all intellectual interests to a single class, and accepted from them a creed and a morality which, to nine-tenths of those who unreservedly accepted them, were little more than mechanical. But now things were changed. Society was beginning to recognise, however vaguely, the urgent necessity of some intellectual and moral influence being brought to bear upon the poor. It would be an anachronism, of course, to suppose that this feeling was prompted by the selfish prudence, sometimes stated too broadly at the present day, which bids society use education as a more economical system of police. The foundations were due simply to a sense of religious and charitable duty. In earlier days the monastic schools had drawn their scholars largely from the very poor. It was through education that the son of the poor man rose to eminence in the Church, and such opportunities, however slightly they might affect the mass of the poorer classes, yet provided that possibility of redressing social anomalies which affords the best guarantee against popular discontent. But it was not till after the Reformation had made itself fully felt that the need of primary education for the poor was generally recognised. The grammar schools, to a certain extent, supplied the want. They were well endowed and consequently cheap. There was room in them for the son of the squire and the yeoman, of the farmer and the peasant. They afforded to the poor boy of talent a means of rising higher in the scale

of life. But their operation was necessarily limited. Only by degrees was it recognised that something more was still required. Only by degrees was private beneficence directed into a new channel—that of securing aid for the *primary education* which must be the chief interest of the poor.

At first this need was met by a long-cherished custom, the remnants of which lingered on till a comparatively recent date. This was the Apprentice system, which was prompted by the necessity of regulating society and preventing the undue growth of an idle and vagabond class. It bears analogy to a State system of education so far, that, in providing for a certain training of the youth of the country, it was based upon Statute law. It was in the reign of Henry VIII. that the chief apprentice laws were added to the Statute book; and under them, children between five and thirteen who were found begging or idle were to be bound apprentices to some handicraft. The apprenticeship laws were compulsory upon master and servant alike. The reception of an apprentice was not voluntary to the master; and so, on the other hand, it was through apprenticeship, and through apprenticeship alone, that the door to the practice of any handicraft was open.

Up to a certain point this system met the danger to which society was exposed in a rough and ready way, and was at least of some advantage to the children. But its motive was too rigidly economical. In providing for education the State may be obeying an economical law, but it will not do to make that economical law the only motive of action, or the result is degrading at once to the State and to the individual, and the

education given tends to lower a man into an adaptable machine rather than to widen his range of interest. The apprenticeship laws regarded the child only as an unit whom it was necessary to fit into one of the disciplined grades of society. Of education in its highest sense, as a means of raising the moral and intellectual condition of the individual, and making him not merely a good workman but a good citizen, it took no account. It provided for industrial education, and for that alone; and rather narrowed than enlarged the sphere of moral and intellectual interest for each child.

But little more than was provided by this system had as yet been done for the education of the poor. Attempts had indeed been made; but endowments for primary education were rare before the Reformation. During the sixteenth century, however, more than one Statute was passed requiring the clergy to maintain in each parish a school for the poor children. The reading of the Bible in the English version naturally stimulated to a considerable extent the efforts after popular education. But the grammar schools were gradually appropriated by the middle and upper classes, by whom the poor were elbowed aside, and for whose wants alone these grammar schools were adapted. Some other provision had to be made for elementary education, unless the mass of the nation was to be neglected in the struggle. The Church could not afford to lose so powerful a lever, and was too far-sighted to allow the opportunity to go by unheeded. The Canons of 1604 secured to her the control of education, and the duty which that imposed was so far carried out in the establishment,

during the ensuing century, of about seven hundred foundations for primary education.

This larger work, however, of affecting popular education was as yet accomplished only to an infinitesimal extent compared with the field that lay open. The energy which the Reformation had called forth had spent itself on other objects. It was only isolated and voluntary effort which, when the task was at length faced, was brought to bear on the work. But in 1699 the Society for the Propagation of Christian Knowledge was founded, and by it various schools were established throughout the country. In 1782 Robert Raikes established his first Sunday School, and in a few years the Union, of which he was the founder, had under its control schools scattered all over the country. But the most extensive efforts made for popular education were those of Andrew Bell and Joseph Lancaster towards the close of the eighteenth century. To them we are certainly bound to allow the credit of conceiving the idea of some sort of scheme for popular education, and of submitting proposals by which it might be carried out. Each was animated by an earnestness in the cause, which went far to arouse the zeal of others. But, on the other hand, it may be doubted whether their influence was all for good. They misconceived and misjudged the extent of the work that had to be accomplished. They became slaves to their system—that which was called the Monitorial System, and of which more will be said hereafter—and by elevating it to undue importance they did much to discredit the very work in which they were engaged. Above all, out of the struggle into which personal and sectarian jealousy

launched them, there grew up two opposing camps in the domain of education, whose dreary contentions down to our own day have made the whole subject redolent of controversy. To this dispute, in its origin largely a personal one, we are indebted for the proportions which the religious struggle—a struggle perhaps inevitable from the first—assumed in the subsequent history of education. Amongst the Nonconformist followers of Lancaster there arose the British and Foreign School Society; while by those of Bell there was established, on the side representing the Church, the National Society. The former became the recognised agency of the Dissenters, the latter of the Church; and through one or other of these channels State aid, when it first began to flow, was obliged to take its course.

At the very time when Lancaster and Bell were arresting attention by their zeal, the State was beginning to awaken to the need of doing something more for elementary education than it had done as yet. The apprentice system was avowedly insufficient. It had grown into what was often little less than serfdom or slavery, and it had placed a bar on entrance to the handicrafts which was in itself hurtful. It confined any education which it gave, as a rule, to manual arts, and not only allowed children to be overworked, but deprived them of the chance of that education which might raise their future work out of a merely mechanical routine. In 1802 the first Sir Robert Peel passed a Bill which restricted children's labour in factories, and required that reading, writing, and arithmetic should be taught to them during a part of each day. This was the beginning of the factory legislation, which

became so urgently necessary on the growth of the manufactures during the first forty years of our century, and which was pushed forward chiefly by the exertions of the late Lord Shaftesbury.[1] Under that legislation the unrestrained cruelty of the factory system was broken down; but the Legislature having thus interfered with and restricted the employment of children, it became for the State a paramount and inevitable duty to do something to stimulate the work of education, so as to fill up the enforced leisure of the child. The State thus found herself face to face with a new task, to which voluntary agencies and casual endowments had proved inadequate; and we have now to watch the gradual and somewhat timid steps with which she advanced upon the work before her.

It was while these great voluntary agencies—the National Society and the British and Foreign Society—were taking shape, that the attention of the Legislature was first turned to the work of education. In 1807 Mr. Whitbread introduced a bill for the establishment of parochial schools through the agency of local vestries, who were empowered to draw on the rates for the purpose. The House of Commons accepted the Bill, but it was thrown out in the House of Lords. Alarmist arguments to a certain extent prevailed: the fear that rates locally administered might lead to a disturbance of religious landmarks, the possible danger to society of a secular system of education, the timidity which revolution in France and its memories had bred—all

[1] The most important of the earlier Factory Acts was that of 1844; but the whole law on the subject was defined and consolidated by the comprehensive Act of 1878.

had some influence in making men pause before they accomplished the work. It is impossible now to say what might have been the result of a State system introduced thus early, and with the machinery proposed. Possibly the religious disputes that afterwards arose might have been avoided, and the State machinery might have settled down more quietly to its work. But it is at least curious to note that in 1807 the beginning suggested for legalised operations was a compulsory local rate,—that which, in the result, came only as a supplement to the action of the central authority, which was accepted, sixty years afterwards, with misgivings by many, and which even then was fenced round by many safeguards.

The movement for a State recognition of education was pressed more vigorously when the fears and troubles of European war were clearing away. It was in 1816 that Brougham obtained his Select Committee for Inquiring into the Education of the Poor in the Metropolis. The work, in falling into his hands, was carried on with the zeal and, at the same time, with the lack of conciliation and discretion which were characteristic of the man. He interpreted the task of his Committee with some laxity. Not content with inquiring into the state of education amongst the poor, he provoked angry controversy by extending his investigations over all the available means for meeting deficiencies. Charitable endowments had grown up in almost rank luxuriance, and there were too many instances of abuses and even of corruption in their administration. Antiquated usages were perpetuated in name only to cover the squandering of resources by irresponsible trustees. By

the revision of these endowments Brougham hoped to find ample resources for meeting the requirements of popular education with but a moderate drain upon the pocket of the taxpayer. Building grants only, as he hoped, would be necessary on the part of the State. The school once built, the cost of its maintenance would be met by the revenues of endowments now dormant or misapplied.

Following up his Committee on Popular Education, he obtained one in 1818 on Endowments. But his manner of conducting the new inquiry alienated rather than gained sympathy for the cause. He browbeat dignitaries, pressed his own views, and insulted those whose crime in his eyes was their faithful carrying out of the intentions of the founders. He increased the opposition to any national scheme of education; and made any such scheme wear, to the timid temper of the age, the aspect of a Socialistic and subversive plot.

In 1820 Brougham introduced, on the basis of his previous inquiries, an Education Bill. In order, too late, to conciliate the support which he had alienated, he made proposals which raised opposition on the other side. A local rate was to be raised; again the starting-point was to be from the efforts of the locality; and to the locality was to be entrusted the disbursement of the funds it raised, and the consequent control of its educational machinery. The magistrates of Quarter Sessions were to administer the rate; but the teacher was to be necessarily a member of the Church of England, and a certificate from the clergyman of the parish was to be a necessary condition of his appointment. Brougham anticipated a later compromise, in stipulating that no

formulary should be used, but only the reading of the Bible, with necessary explanations. Such a safeguard was held to be insufficient by the Dissenters, and the Bill was met by a storm of opposition from their party, which ensured its defeat.

By this Bill the issue between the contending parties in the State, which was henceforward destined to be the chief stumbling-block in the way of a State education, was placed on a clear and well-defined basis. The issue was a very simple one. The school had originally rested upon the foundation of the congregation. Hitherto it had only followed slowly in the wake of the Church. Any sudden or rapid extension of the system, if it was to follow the same course, must necessarily increase vastly the influence of the Church. At a later day it became apparent that such natural advantages as numbers, wealth, and influence gave to the Church in education were more than enough to stir the jealousies of her opponents. Much greater and more natural was that jealousy when a positive monopoly was secured to the Church. The nation was scarcely at this time ripe for a system of concurrent endowment, even had the Dissenters failed to notice how much they would lose by any such system. At a later day they fought vigorously enough against any such system when they saw what its ultimate effect would be ; but now their opposition was to a proposal which seemed certainly and necessarily destined to multiply the forces of the Church, to equip her with a new endowment, and to do away, as the Dissenters thought, with all that religious equality for which they had so arduously struggled.

It is no part of the business of this treatise to discuss

the merits of this religious struggle. We have only to watch its effects on the growth of the national system, to see how it retarded the advance of that system, by what means its influence was counteracted, and what were the compromises which were subsequently arranged. But now we find, after the abandonment of Brougham's Bill, that along with much zeal for advancing education there was a greatly increased hesitation as to the means. Most educational reformers still sought for the beginning of the work in the efforts of each separate locality. But to leave the decision of the religious question to the locality was to introduce, it might be, confusion and discussion —still more probably, as the Dissenters feared, a new and dangerous advantage for the Church. No means, however, were suggested for holding the balance between different religious communions; and still less possible did it seem to eliminate or even to restrain the religious element in the instruction of any school. Yet the necessity of doing something was pressing itself upon attention more imperiously every day. The same movements that led to political reform in other directions also drew attention to the crying question of education. But the Church was alarmed at anything which seemed to trench upon what she naturally thought to be her appointed task. The dissenters dreaded what might add to the impregnability of the Church's strongholds. All were conscious of the need; many were anxious to supply it; but none were able to propound a system to which the Legislature was prepared to give effect, or which offered any solution of the problem.

When the beginning was actually made it came without any such legislation, and as an almost unnoticed

proposal of the Executive. In 1832 the sum of £20,000 for public education was placed in the estimates; it was passed by the Committee of Supply; and the first step was taken on that course from which the State has never since drawn back. No legislation was necessary; probably at that time and for years afterwards no legislation would have been possible. For six years the grant was administered only by the Treasury, and not by any department constituted for the purpose. It was applied in aiding local effort for the building of schools for the poor, and was made in England through the two great religious societies—the National Society, and the British and Foreign School Society—and in Scotland through the Minister and Kirk-Session of each parish.[1] The consequence of this loose administration was such as might have been foreseen. The schools were constructed on no approved plan. No guarantee was taken as to their destination, nor was any special form of trust-deed recommended. There was no security for the efficiency of the instruction, or even for the maintenance of the fabric; and, as a fact, the buildings were often

[1] The conditions on which these Treasury grants were made were settled by a Treasury Minute of 30th August 1833, and may be summarised as follows:—

1. No part of the sum was to go save for the erection of school-houses, not including residences for teachers.

2. No grant was to be made unless at least one-half of the cost were met by voluntary contributions, actually received and accounted for.

3. A report recommending the application must be received from the National, or the British and Foreign School Society.

4. Applicants were to submit to audit, and to *make* reports.

5. Populous places were to have the preference in the allotment of grants.

seen in a few years to be falling into ruin, or serving to house an admittedly inefficient school. The scheme was avowedly and timidly tentative, and yet on that footing it remained for six years.

During these years the question of the State's interference with education was not allowed to sleep. The State was as yet only in the position of a contributor to one or two voluntary societies, through whose agency the work of providing schools was carried on. It was bound, having gone thus far, to go farther; and only the dread of religious disputes, and the political complications that might arise, kept back the Government from proposing more. It was evident that the merely voluntary system would not suffice to meet the want. The full extent of the educational deficiency was not yet accurately gauged. But enough was known to prove that, on the whole, not more than one-half of those who should have been at school were there. In some of the manufacturing towns, where the increase of population had been rapid, the educational destitution was complete. In some country districts a provision even in excess of requirements had frequently been made by the charity of previous generations, but it was casual and unequal in its distribution. In the towns generally, even reckoning the Sunday schools and those dames' schools where the instruction was only nominal, far less than one-half of the children ever entered the door of a school. Even of those who were brought in very few obtained such instruction as was of the slightest use. In many cases the children, crowded together in the most unwholesome dens, were left, not to be taught, but only to be taken charge of for so many hours a day, by some one whose

health, or age, or capacity unfitted him to gain a livelihood even in the most menial occupations. And all this, it must be remembered, was acquiesced in as the natural state of things within the recollection of a generation whose sons have only now grown to manhood. The traces of long neglect had not yet passed away, even within the recollection of the generation who are still living.

The next great step was taken in 1839, when the annual vote was increased from £20,000 to £30,000, and when a special Department was created to supervise the work. Hitherto grants had been administered by the Treasury to meet a certain amount of local exertion, and in general reliance upon vague assurances as to maintenance of the schools by local promoters. As we have seen, the conditions which were soon found to be necessary as securities, either for continuance or for efficiency, were not yet insisted upon. To do this it was necessary to have a Department specially devoted to this work; and the means adopted for creating such a Department was one which had the advantage of requiring no Act of Parliament. By an Order in Council a Special Committee of the Privy Council was established, and, in connection with this Committee, a special staff of officers was engaged. The same year saw the appointment of the first inspectors of schools. It was thus that the Education Department was constituted.

The plan which the advisers of the Government in this new attempt had most at heart was that of a Normal Training College for teachers. Logically, this was the proper beginning for any system of national education; the first essential being the provision of a body of

trained teachers who could carry on, with a certain standard of efficiency, such schools as might be built. But it was surrounded with so much matter for dispute, gathered during a generation of contention, that the proposal all but wrecked the Government of Lord Melbourne. The Church objected to the scheme on a double ground. In the first place, the religious instruction in the normal school was to be upon the combined system; that is to say, secular instruction was to be given in common, but Dissenters were to be taught religion by teachers of their own communion. This placed Dissenters on a footing of equality which offended the Church. This is not the place to enter upon the justice of the grounds upon which that jealousy was based; it is enough to note the fact as one of the difficulties which those who sought to develop a national system had to encounter. But this was not the only reason for the attitude of opposition assumed by the Church. The function of training and licensing teachers was one which she still claimed under the Canons of 1604, and she opposed, therefore, the interference of the State with a function which she believed to be her own. The contention became so keen that the Government was compelled to abandon the scheme. Curiously enough, this plan for a State Training School, thus early mooted, is precisely the one which has never yet been realised. With a rate-supported system, in which religious communions can claim an absolute equality, the training of teachers is still left chiefly to institutions which are strictly denominational. Within the last few years recognition has been given to teachers trained, with aid from the Parliamentary grant, in various University

Colleges; but it has yet to be seen how far the teachers trained under other influences than those of the Training Colleges will be generally accepted by the managers of schools. But the dispute served the purpose of defining the attitude of the Church towards the new system, and of showing the control which she was able to exercise over it. We are not concerned now with the justice or injustice of that control. In considering the growth of the administrative system we need attend only to facts, and we should only confuse the narrative by entering on the region of religious controversy.

Thus foiled in their chosen scheme for a National Normal School, the Committee of Council turned to other parts of its work. Henceforward, amidst all the new phases of controversy, amidst the proposals for legislation, and the additions actually made to the Statute book, the Minutes of this Committee show the growth of the system at the centre. The policy which it adopted from the very first was to act with strict neutrality as between recognised religious communions, but to conduct its operations through their medium. In other words, it recognised the forces with which it had to deal, but studiously refrained from anything like partiality in its dealings with them. There was no tenet to which the earlier advisers of the Committee adhered with more tenacity than this—that to ignore the religious basis upon which education was built, and through which educational agencies chiefly worked, was an impractical and fantastic folly. Whatever may now be thought of the policy, it appeared to them the only one possible when, as pioneers of the national system, they were carefully working their way forward.

The first Minute[1] of the Committee accordingly lays down some of the leading principles by which they meant to be guided. They still express their adherence to the scheme of a Normal School, but are obliged to abandon it from the difficulty of solving the problem of contending conscientious scruples. The money which was to be assigned to this object they propose now to divide between the National Society and the British and Foreign Society, and through their agency Training Colleges may be established. Beyond this the grant is to go in aid of building schools which are in connection with these societies, and, in special cases, in aid of schools founded by some other agency. And for the first time the new principle is affirmed, that inspection by the officers of the Department is to be a condition of aid. It is beyond question that the principle thus introduced by no legislative act, but by a mere departmental minute, involved a change of no small magnitude, not in education only, but in the whole machinery of English life. Henceforward the State acquired the function, which gradually extended itself, of inquiring into and appraising the efforts made by local agencies to accomplish a work of which the State assumed the right to fix the standard.

Subsequent Minutes of the same year[2] explained or developed the principles thus laid down. The Committee were not to be absolutely precluded from making a grant to a school although it were not connected with one of the two leading religious societies. But such grants were to be made only in special circumstances,

[1] Minute of 3rd June 1839.

[2] Minutes of 24th September and 3rd December 1839.

and two conditions were imposed which, in their opposite tendency, serve to define still more clearly the policy which was being followed. On the one hand, no such school was to receive a grant unless provision were made for at least reading the Bible as a part of the regular instruction in the school; but, on the other hand, it could not receive a grant unless there was a "conscience clause," as it is now called, or a stipulation that those whose parents objected to the religious instruction might be withdrawn from that instruction. This was a rule applicable as yet only to this special class of school. The Church schools were open only to those who accepted the religious teaching of the Church; and this exclusiveness, long combated by the Committee of Council, was permitted only from the practical consideration that a refusal to tolerate it would have broken the hold of the State over the vastly greatest part of national education. The Church, as the leading agency, already in possession of nine-tenths of such territory as had been won, was to be humoured in claims which her conscientious adherents would not then surrender. But special and smaller sects, which might be induced to begin the work only in response to the offers of help from the State, were to have the conditions more strictly defined for them. The course pursued was not, indeed, strictly logical; upon the question of its abstract justice we do not wish to enter; but it is to be noticed chiefly as marking clearly the practical aim of the Committee.

Inspection once established, its conditions had to be defined; and this also became matter of religious controversy. The instructions to inspectors[1] urge upon

[1] Minute of 10th August 1840.

their attention the necessity for encouraging and fostering the religious teaching in all State-aided schools. In thirty years more the system had so developed that it was necessary to exclude this part of the work from the range of inspectorial supervision; but at the time of which we are speaking it is the part to which the inspectors are most specially urged to attend. We should misunderstand the early policy of the Committee were we to suppose this adopted from the desire to favour any particular religious communion. It proceeded only from that principle which regulated all its earliest action,—namely, of seeking the most practical means of accomplishing the end in view. Such education as had been given by voluntary agency was started from religious motives, was conducted with religious aims, and consisted in a training which was based upon dogmatic religious belief. Had it failed to recognise this, the Committee must have raised a storm of opposition that could not but have postponed the work—perhaps for generations. But granted that religious inspection was to be so important, a more important question remained behind. To whom was to be assigned the duty of making that inspection, and under what conditions were those entrusted with it to be appointed? In 1840[1] was formed what came to be known as the Concordat with the Church, by which the sanction of the Primate was necessary for the appointment of an inspector. This conciliated the Church, before alarmed by the Normal School scheme; but it first roused the suspicions of the Nonconformists, although a similar concession was afterwards extended to

[1] Minute of 10th August 1840.

them by giving a power of veto to the British and Foreign Society in the appointment of the inspectors assigned to their schools. The religious difficulty was growing more and more threatening, and it was becoming more and more clear that the full development of a national system was possible only when some settlement of that difficulty could be reached.

The next legislative movement that was attempted showed more plainly how bitter the religious controversy might become. The scheme of Lord Melbourne's Government for a National Normal School was defeated by the jealousy of the Church. A new proposal by the Government of Sir Robert Peel, in 1842, was now overthrown by the opposition of the Dissenters. This proposal was embodied in the educational clauses of the Factory Regulation Bill, introduced by Sir James Graham as Home Secretary, in that year. The Bill proposed to limit the hours of labour and to provide schools, which the children partially employed must attend. These schools were to be supported by the local poor-rate; and thus, on a narrower scale than that of the previous attempt, the principle of local rating for education was to be introduced. But it was not proposed that local rating should be accompanied by management through local representatives. The managers were to be taken from a limited class, in which the Church element was necessarily to predominate. The teacher was to be appointed subject to the clergyman's veto. A conscience clause was to be enforced, opportunities were to be given for separate religious instruction by the various dissenting communions, and further concessions were offered in order to meet the agitation against the

proposal. But the alarm of the Nonconformists had been thoroughly aroused. The scheme was denounced as an effort to endow the Church anew, to give to her a monopoly of education, to stamp out voluntary efforts, and to crush out the dissenting influence in the manufacturing towns. The agitation became fierce and wide-spread, and the Government was able to avoid its consequences only by withdrawing the obnoxious clauses.

The proposal had been brought forward by the Department as an apparently fair concession to the actual preponderance of the Church influence, while guarding the conscientious scruples of the Nonconformists. It could scarcely be defended as strictly logical, and it was undoubtedly a compromise, such as it was always the policy of the Committee of Council to encourage, between a national system which should be based upon the old supremacy of the Church and one which should open the benefits of new State aid on equal terms to the dissenting bodies that had grown up around her. But it not only alarmed the Dissenters for the time; it left amongst them a germ of suspicion and distrust of all State interference which did not for long die out. From this time a large body amongst the Dissenters resented all State action, and urged that the work should be left to the voluntary efforts of the religious communions. By a curious coincidence the same theory was urged by the most pronounced advocates of the Church's monopoly in education, and the extremes of religious opinion thus joined in resenting the interference of the State.

In the face of such opposition it was impossible for the Government to propose new legislation or any wide

extension of the system. Only the evident necessity for supplementing voluntary work, in order to check the dangers of ignorance, prevented the undoing of what had already been done. But now it became the business of the Committee of Council steadily to encourage all voluntary effort, to make itself a central influence in order to guide and develop that effort, and to extend and complete its own administration as its experience increased. For the next few years this was its work. The system of inspection was useful chiefly for the experience which was built upon it. The instructions to inspectors warned them against offering advice or suggestions, or assuming the functions of school managers. Whatever opposition the Department encountered in its dealings with adverse ecclesiastical parties, in this at least it showed the best wisdom. It was most careful to allow local effort to develop in its own way. It avoided anything that might give even the appearance of dictatorial interference. If it sought to guide, it did so only through indirect influence, in setting before school managers the results of experience, and in spreading more widely a knowledge of the defects of existing methods, and of the examples which it was well to imitate.

Although no legislative action could yet be taken to found a national system of education, yet the road for such a system might be smoothed. In 1836 there had been passed the first Act giving power to holders of a life-interest in land to grant sites for schools. This was further extended by the Act of 1841; and in 1844 there was passed an Act, which secured on a more solid basis grants which had been made only upon the

personal obligation of the Trustees. Other Acts have followed, extending and completing the aims of these; but it is enough to refer only to the earlier instances of legislation of a kind intended not only to promote, but to render permanent, such school provision as voluntary effort might make.

In 1843 the Department felt itself able to take another step forward in the development of its system. The advisers of the Department were too wise to overturn the coach by hazarding another collision with any ecclesiastical parties. The nation had never yet formally and by legislative act committed itself to the principle of State education. Each step taken in advance of the current feeling of the day involved new risk of a reaction; and, above all, experience had shown how easily ecclesiastical susceptibilities might be wounded. It was the object of the Committee of Council, therefore, not to attempt any new principles of distribution, but only to take each opportunity of extending its operations on the old basis. By a Minute of 22nd November 1843 certain new methods of applying the grant, which had now risen to £40,000 a year, were set forth. The aid previously given only for school-houses, was now to be extended to teachers' houses. Grants were to be given in aid of the furniture and apparatus of schools. Assistance was to be made available towards the building (not, as yet, towards the maintenance) of Training Colleges. A further extension of the system of inspection was to take place; and special grants were to be made to meet the educational deficiencies of poor and populous places, where manufactures had sprung up recently, and where those endowments were lacking

which the piety or charity of previous generations had founded in centres of less recent growth. All this, of course, involved no change of principle. The general relation of the State to voluntary effort, the main sources of revenue, above all the attitude of the State towards religious disputes, were all unchanged. The Minute gives evidence only of the experience which the Department was gathering, and of the watchfulness with which it seized on any opportunity of lengthening its cords and strengthening its stakes on the existing lines.

CHAPTER II

THE SYSTEM OF ANNUAL GRANTS UNDER THE EARLIER MINUTES

IN the year 1844, after five years of the new administration, it was possible to form some estimate, not only of the solid work accomplished, but of the prospects of the immediate future. That a considerable effort had been made was unquestionable, however small that effort was compared with the work to be done. During the six years of Treasury administration, £120,000 had been paid from the Imperial exchequer; and to meet this £280,000 of voluntary local contributions had been raised. Between 1839 and 1844, under the action of the Committee of Council, £170,000 of Imperial funds had been distributed to meet £430,000 from local resources. In all, therefore, about one million had been spent in little more than ten years. What solid good had this accomplished? In what way might the system be advanced so as to meet all needs? These were the questions which the Department had to solve, and in the solution of which they had to be guided mainly by the reports of their inspectors, who had been employed in gathering information during these years.

First of all, what were the resources of the public

schools? In a letter of instructions, dated 13th August 1844, the inspectors were asked to inquire specially into this; and for their guidance the Committee indicated some of the sources of income, which are not uninstructive if we wish to understand the nature of those voluntary efforts that preceded and paved the way for the action of the State. In some places, we learn from that letter, a voluntary rate was imposed upon themselves by the inhabitants of a district, in proportion to the amount of the poor-law assessment imposed by law. Elsewhere, contributions were paid in proportion to the number of children attending from the property of each landlord. In other districts, again, there was secured a certain amount of school fees, from an arrangement between the proprietor of the land and the parent who was his tenant, which stood, as it were, in the place of the modern machinery of compulsion. Many of these resources were such as could not, under the quickly changed conditions of society which our generation has seen, have continued to exist. The heaviest part of them was contributed by the clergy, to whom a long-continued and extended process of self-imposed taxation was impossible. But their amount serves, at least, as an answer to the reproaches which are often urged against the voluntary efforts of the past, and against those under whose direction these voluntary efforts were made.

The inspectors were instructed to inquire into the degree to which these resources were available in each district. They were also to learn what they could of the employment of small endowments. These were, in too many instances, notoriously wasted or misapplied. It is perhaps fortunate that their revision was post-

poned till a later time, when other resources had been provided for the maintenance of elementary education, and when the special revenue drawn from endowments might be made available for something more, which it might be hard to provide out of the pockets of the taxpayer and ratepayer. But when the system was yet in its infancy, it is not surprising that attention was turned to these endowments as a means of providing resources, which it seemed at that time difficult to obtain in any other way.

In another letter of the same year,[1] the attention of the inspectors was called to the condition of the schools which had received shares of the earlier Treasury grants. The whole system of State grants was not yet ten years old. But experience had already shown mistakes and omissions which called for correction. Schools which had received grants were, in some cases, actually closed and falling into ruin. The trust-deeds were often invalid. The construction of the premises had not been carried out according to any of those plans which later experience had pointed out as expedient. The right of inspection had not been secured; and, even where the managers were ready to receive the inspector, no visits had been paid, and the schools were languishing from the want of that direction and encouragement which seemed to be derived from the contact with the central authority. The inspectors were now directed to offer a visit, and, where that offer was accepted, they were to inquire how far any of those defects which experience had shown, did exist in particular cases, and how they could best be remedied. The object of these visits, however, was strictly, and perhaps prudently, limited by

1. Letters of Instructions to Inspectors, 16th December 1844.

the instructions of the Committee. They were to furnish information, to assist in the examination of scholars, to give counsel as to possible improvements, and for the removal of obstacles to success. But the inspector had no authority to interfere with discipline, arrangement, or instruction. It is difficult to exaggerate the importance of these restrictive instructions on the infancy of the system. It was only by fostering local effort and local initiative that the work might be developed into something else than the hard and fast system of a bureaucracy; and it is due to the wisdom of these earlier advisers that the administration of the Department took a direction different from that which has stiffened into the rigorous moulding of some continental systems. The Committee of Council naturally meets with some of the blame often laid upon central authorities; but, from its origin downwards, its proper policy has ever been to press on local effort and to develop local responsibility, to avoid rather than to seek occasions for interference.

It was in the spirit of these instructions that the inspectors now went to work to ascertain what more might be done to improve method and organisation, before new steps were taken to extend the system. Already activity had been stimulated in many directions. Training Colleges had been spread over the country, and had secured, in some instances, the devoted energy of men of great ability.[1] The clergymen of many parishes

[1] The most notable instance was that of the Normal School of St. Mark's, Chelsea, which, under the late Mr. Derwent Coleridge, had become a centre of ardent and enthusiastic labour. Before the minutes of 1846 there had been voluntarily established nine training colleges in England and four in Scotland, under the inspection of the Department.

must be allowed the credit of having taken speedy advantage of the first State encouragement to provide education for the children of their congregations, and of having contributed in far larger proportion than any other class of the community out of their own pockets in aid of the work. But the education given was on miserably narrow lines. Thus, according to a careful and elaborate report in the year 1845,[1] only about one in six, even of the children at school, was found able to read the Scriptures with any ease. Even for these the power of reading often left them when they tried a secular book. Of reading with intelligence there was hardly any; and about one-half of the children who came to school left, it was calculated, unable to read. Only about one child in four had mastered, even in the most mechanical way, the art of writing. As regards arithmetic, not two per cent of the children had advanced as far as the rule of three.

Such results were almost enough to damp the hopes of the most ardent advocates of the system. Something was clearly wrong. Even in schools where an apparent organisation was present, it was often delusive. The children were drilled into a certain monotonous regularity of movement; but individual instruction was almost unknown. The central evil of the whole was the want of a trained teaching staff; and its necessary result a want of system, of method, and of thorough organisation. The only cure was felt to be, in the words of one of the inspectors, "the collision of system with system, of method with method." "Nothing," says the same

[1] By the Rev. Henry Moseley, on the Midland District.

inspector,[1] "could be worse than to stretch education again upon the rack of a system, or to put it in an iron boot. . . . We are yet in the infancy of our knowledge and experience in such matters."

The teaching of the schools was in the hands of men who had scarcely any training, and who had often turned to the work because all other work had turned away from them. Under them it was conducted upon that monitorial system which was the inheritance from Dr. Bell, the rival of Lancaster. The pupils were set to teach one another; that is to say, those who were little more than infants, without training, without special instruction, with no qualifying test, were set to waste their own time and that of their still younger companions under the nominal supervision of the teacher. Under such a system school work had become degraded in public opinion, and a rotten and disjointed method had grown up, which it was necessary before all things to root out. Instruction very seldom went beyond the religious formularies, and these were desecrated to the injury of secular instruction rather than made the basis of any sound religious education.

The inquiries of the Committee of Council thus gave the death-blow, in public estimation, to the once highly-vaunted monitorial system. But how was it to be replaced? The model of a better state of things was found in the Dutch schools. There a selected number of the older pupils, who intended to enter upon the profession of teachers, were apprenticed, when they had reached the age of thirteen, to the teacher. These apprentices assisted in the work of the schools between

[1] The Rev. H. Moseley, Blue Book of 1845, vol. i.

their thirteenth and eighteenth year, and in return for their work they received a regular payment and special instruction for themselves. After their apprenticeship they passed to a Training College, there to receive the final professional training necessary to entitle them to have charge of a school. The result of the system was found in the orderly arrangement and the quiet intelligence that prevailed in these Dutch schools, in place of the mechanical and delusive drill which made education in the English school little more than a name.

This, then, was the central blot on the system; and in the Dutch schools was found the suggestion for its cure. But there were other points also which called for a remedy. The monitorial system had continued because it was cheap; and so long as the resources remained as they were, only a cheap system could be maintained. Local contributions, so long as they were voluntary, could not suffice for the work; and the contentious matter threatening any project for establishing local contributions which should not be voluntary was so great as to scare any Government from yet making the proposal. The necessary resources must come, then, from a more liberal scale of Imperial grant. It was not enough to help on the building of schools; it was needful, further, to contribute to their maintenance and to their equipment. If this were done there was some hope of a new state of things. So much for the means of supporting the schools; while, as regards the improvement of the instruction, it was urged that the best means of bringing home education to the masses was to insist that some part of the instruction should have a direct bearing upon their future work, and that it should

thus become not a mechanical drill to be forgotten when school time was past, but a vital force drawing out some power of thought and enlarging the sphere of interest, by taking the toil of life out of the dreary routine of tread-mill and unthinking drudgery.

The common verdict of those entrusted with the inquiry left little doubt as to the defects of the existing system, and as to the limited sphere over which it extended.[1] It was for the Committee of Council to carry into effect the suggestions for applying a remedy.

Accordingly, a new and important start was made by the Department on the 25th of August 1846. A Minute of the Committee of that date began by reciting the necessity for a more thorough system of inspection, and for an improvement in the class who assisted teachers in their work. As a means of promoting the efficiency of schools, regulations were to be prepared stating the conditions upon which annual grants would be made towards the stipends of pupil teachers, who were to be bound by indentures of apprenticeship drawn up in a prescribed form. As a further encouragement, teachers were to be paid certain allowances for the apprentices trained by them; and these teachers were to have further gratuities dependent upon the annual reports upon their schools, and to have some provision for their old age by means of pensions from the State.

A Minute, supplementary to this one, and dated 21st December in the same year, stated the regulations which had been drawn up to accomplish these objects.

[1] In some parts of the kingdom (and these by no means the most backward) it was calculated that in 1845 about 5 per cent of the population were at school. The proper proportion is now generally held to be about 17 or 18 per cent.

Before any annual grant could be made, the inspector was to report as to the fitness of the teacher for the training of apprentices; as to the equipment and organisation of the school; and as to the probable continuance of the contribution from local resources. Apprentices were to be recommended by the managers of the school, and must not be under thirteen years of age. They were to be bound by indenture for five years, and at the end of each year were to pass an examination of increasing difficulty. When these conditions were fulfilled the pupil teacher was to receive a stipend rising from £10 in the first to £20 in the last year of his apprenticeship. Further, the teacher under whose charge he was placed was to receive a fixed annual payment in return for his training.[1]

This provided the first step in the supply of trained teachers. But the new regulations went further. At the end of their apprenticeship, pupil teachers were to be eligible for what were called Queen's Scholarships of £20 or £25 a year at some Training College under inspection. They were to be selected by competition; and the Training College which received them was to be allowed £20 for each student of the first year, £25 for each student of the second year, and £30 for each student of the third year. By this means not only were the best pupils from the elementary schools encouraged to proceed to a more complete course of training in the practical work of teaching, but the Training Colleges were to have grants of a substantial amount, which would prevent their having recourse to a less promising

1. Rising from £5 for one to £9 for two, and £3 for each additional pupil teacher.

class for the sole purpose of recruiting their ranks. Hitherto the relations of boys who seemed unfit for any other calling made an effort to contribute enough to procure for them a training as schoolmasters. The Training Colleges had not been able, without crippling their resources, to refuse to accept such students; and the result not only lowered their own efficiency, but was certain to react with fatal effect on the elementary schools. The supply of educational labour was thus poisoned at its source.

But this was not the only encouragement to the training of teachers. It was further provided that an augmentation grant should be allowed to teachers who had been so trained, in proportion to the length of their training. The lowest augmentation grant was £15; the highest, £30.

By these Minutes was laid the foundation of a system which was fitted to produce new efficiency throughout each branch of the work. From the elementary school to the training college, and back from the training college to the school, a standard of excellence was to be maintained. The assistance by the State was no longer to be confined merely to the provision of the premises of schools. Managers were now to look to the regulations of the Department for guidance in the selection of teachers, in the organisation of their staff, in the best methods of instruction. They were to supply the Training Colleges with students, and to receive in return these students as teachers of their schools, paid in great part by the State, which, by the grant of certificates, guaranteed their efficiency up to a certain point. The voluntary contributions, on the other hand, were to

provide a salary not less than double the amount of augmentation grant claimed;[1] and thus a stimulus was given not merely to a spasmodic burst, but to a constant and sustained effort, of local exertion.

The importance of these Minutes, by which, as it were, a current of vitality was sent through every part of the educational machine, can scarcely be exaggerated. By means of the changes thus introduced, a new bond between the different localities and the centre was established; and unquestionably by that means a widespread influence must have been created, telling upon a large part of the social life of the kingdom. The regulations were necessarily tentative only. They tended to form the teachers into a class of State servants, looking to the State at once for the certificate that opened to them their profession and for the payment of a large part of their income. Such a principle, which diminished the direct responsibility of local managers, was necessarily in great measure swept away when local managers acquired a less precarious place in the educational system. But the object which the Committee sought to promote by their new regulations was, above all things, the superseding of a haphazard and defective organisation by one which set forth clearly a standard of efficiency. In the midst of doubts and disputes, it was hopeless to think of establishing a system of local rating administered by local authorities. But, as a temporary and preliminary measure, the arrangements now made were probably the most suitable that could be adopted. They were at least the

[1] One-half of this might be made up by school fees. (Instructions to Inspectors, July 1847).

utmost that could be achieved without legislation and its inevitable accompaniment of angry contention over principles. As it was, a Departmental Minute laid the foundation of the work.

On these lines, the administration of the Committee proceeded for some years. In 1851 twenty-five Training Colleges had been established; and these had a sure supply of qualified recruits in the 6000 pupil teachers who were by that time being trained to the work. The certificates of merit for teachers were gradually transforming the teaching profession into an organised body with a well-defined standard of proficiency. More than 1100 teachers had obtained these certificates; their influence was felt in the training of the pupil teachers; and thus a new current of vitality passed through the whole ranks of those engaged in the work. The ten years between 1842 and 1852 saw the Parliamentary grant raised from £40,000 to £160,000 a year, with the certainty of a still further increase as the augmentation grants to teachers and the stipends to pupil teachers grew in number. Nearly 3800 schools had been built with Parliamentary aid, providing accommodation for no less than 540,000 children. The State had contributed towards this more than £400,000; and a total expenditure had been incurred in providing schools of more than £1,000,000. When we remember that all this was carried out solely by the agency of Departmental Minutes, and without the intervention of a single definite Act of the Legislature, we may well doubt whether any change so momentous in its effect upon the country had before been wrought by an agency so simple. The Legislature, at the most, tacitly

acquiesced in the Minutes; it did not deliberately ratify them.

But, however produced, the results were soon self-evident. The annual grants quickly rose, and as the greater part of them were necessarily drawn by the schools of the National Society, the Dissenters were soon up in arms. The Minutes, so they asserted, were a mere contrivance for increasing the revenues of the Church. It is to be feared that too often, in these disputes, results which arose necessarily out of the actual position of the Church in regard to education were not very fairly ascribed to an insidious design of increasing Church influence. The Church got the most of the grant only because it had hitherto done, and still continued to do, the most of the work. The disputes, however, thanks to the impartial policy of the Committee, grew less warm as time went on. Whatever their criticisms of the Minutes, very few sects continued to hold out in their refusal of State aid. On the whole, the new system, established in 1846, worked for good wherever its influence extended.

But this influence was still only partial. There were large parts of the country in which education was still miserably defective; and even now the annual grants were based upon no immediate and decisive verdict as to the efficiency of the instruction given to each child. Too often the education which was professed to be given was only a delusion. The first impulse had been given, and the Legislature was not disposed to be stingy in its grants. But the system was as yet only tentative; and a mass of thorny religious questions had to be faced before a really national system could be established.

Meanwhile two phases of the work were hurrying on. On the one side, the Education Department was doing what it could to improve method; on the other hand, the country was advancing to a verdict upon the religious questions that faced her in any attempt to lay down principles.

In the course of these disputes three well-defined parties emerged. First of all, there were those who held that the education of the young was a matter purely for voluntary agency; that the State should keep its hands off the work; and that its interference was likely only to produce a rigid monotony, and unduly to fetter the rights of conscience. In this party were included some of the most rigid maintainers of the rights of the Church, who traced her rights back to the earliest days of educational activity, who claimed for her a monopoly independent of the State and inherent in her constitution, and who, in maintenance of these claims, refused all State co-operation, and were bold enough to hope that the voluntary agencies of the Church might suffice for the work. Others again—and these included the greater proportion of Churchmen—were willing that the State should co-operate, so long as the initiative and the local administration were left to religious bodies, and so long as the State attached no such conditions to her aid as might fetter the liberties of these bodies. But a third party believed that no complete system could be established without the necessary and uniform intervention of the State, and that this intervention could be tolerated on a large scale only if we were to establish a secular system, administered irrespective of religious belief by local and elective bodies.

This last was the position taken up by the body now coming prominently forward, which was at first known as the Lancaster Public School Association, and which, in 1850, developed into the National Public School Association, framed on a wider basis. Their object was to establish a national system of free secular education. Already their views had been brought forward in a Bill introduced in the Session of 1850, which sought to establish local boards with power to apply local rates for the establishment of schools, which were to stand side by side with the denominational schools, worked with a conscience clause, and entitled to grants only in respect of the secular instruction. A remarkable feature in that early proposal was the abolition of fees, the deficiency of revenue being made up, according to the scheme, from rates. The recognition of existing denominational schools was a concession which the advocates of the plan did not at first contemplate. But the religious bodies had in their favour the proverbial nine points of the law which are secured by possession, and to ignore their claims would have been to court inevitable defeat. In their subsequent proposals for legislation, therefore, the Public School Association gave to these denominational schools not only the right to exist and to participate in Parliamentary grants, but even the benefit of local rates to supply the place of the fees, which were to disappear in all public schools. Twelve hundred thousand children were, it was calculated, taught, and one million annually was spent upon their education, in denominational schools.[1] To have set aside this fact, and to have

[1] Sir J. Kay Shuttleworth's *Public Education*, p. 41.

framed a system which curbed the rights of conscience by suppressing all the efforts of voluntary religious zeal, would have ensured a speedy and perhaps final defeat for those who were pressing for a secular system. As it was, the defeat came for the time; but many of the features of the original proposal were reproduced in the compromise effected in 1870. The Association were, it was said, inconsistent with their own principles in the concession. It may be so; but it was that inconsistency alone which prevented their proposals from being finally set aside.

To meet these proposals it was not enough for the opposite party to rest content with the slow extension and limited range of the existing system. That system was avowedly only tentative. No one knew whether a turn of opinion might not check the flow of private benevolence, which, at the best, was but casual in its operation. A new scheme was therefore devised, and a new society established, by those who looked with alarm on the proposals of the national free and secular school as interfering with religious education. This was the Manchester and Salford Committee on Education. Their proposal was to engraft a system of local rating upon the existing organisation. In the Bill which that Committee originally promoted only for the boroughs of Manchester and Salford, it was proposed to establish a rate of not more than 6d. in the pound, to be administered by the Town Councils, but only to be so far under their authority that they were to be the custodians of the rate and to distribute it to the managers of the denominational schools. The only case in which the Town Councils were to have the management of schools

was where voluntary agency failed to provide for any deficiency. In the existing schools a conscience clause was to be established; but, on the other hand, even in the new schools established by the Corporations the Bible was to be read. The Bill was one which was too important, however, to be passed as a piece of private legislation for one locality alone. Along with the opposite scheme of the National School Association it was referred to a select Committee in 1852, and both gave way to new proposals in the ensuing Session.

The period between 1853 and 1858 was a busy one, both in the discussion of principles outside and in the growth of the Committee's work within. It was generally felt that something must be done, but the natural effort was, if possible, to do it without arousing those violent feelings of religious partisanship on which the whole educational question was apt to turn. In 1853 Lord Aberdeen's Government determined to hazard a step in advance. What was called the Borough Bill was introduced by Lord John Russell. It gave a sort of permissive power of rating to the Town Councils of incorporated towns, or towns which had a population of 5000. The rate was to supplement the income of existing schools by paying the fees therein. The principle lying at the root of this was the desire to provide a permanent source for that local exertion, which was required to meet the Parliamentary grant. To pay the grant without, on the one hand, making any condition of local exertion, would be to open the door to spurious applications by adventure schools; to make such a condition too stringent would be to close the stream of State aid to those localities which might chiefly require

it. Hence it was that, from so many sides at once, the proposal was made to lay a burden on the locality, which should be permanent and compulsory, and which should be a guarantee that the local efforts aided by the State should be genuine. The rock upon which one plan after another at this time split, was the difficulty of providing that compulsory local contributions should be accompanied by local representation in the management, without unduly interfering with the existing voluntary schools. The proposal of Lord John Russell's Bill was not accepted. It was partial at best in its operation, and it seemed to establish a compulsory contribution with no accompanying authority. But while this scheme was rejected, another, which was meant to supplement it, and which required no legislative action, was introduced. This was the system of further annual grants called capitation grants,[1] by which, in rural districts, a certain sum per head was to be paid to the managers for each scholar who attended 192 days with two school openings on each (or, with an allowance for absence of 16 days, for 176 days). Two chief conditions were attached to this: the first, that a certificated teacher should be in charge; the second, that at least three-fourths of the children should be presented to the inspector for examination. Another turn of the screw had been made, a new guarantee for such efficiency as could be secured by regular attendance, along with a new mode of encouragement, had been established. This had been intended to do for rural districts what the Bill was to do for boroughs; but when the Bill was rejected, an

[1] The Minute establishing it was dated 2nd April 1853. See Appendix 3.

unmeaning distinction was introduced, by the application of the Minute to certain localities alone, and the capitation grant was afterwards[1] extended to the non-rural districts as well. The action of the Committee had thus filled up a new lacuna in the system. It served as an additional stimulus to local exertion without making an undue call on local contribution; and its effect was seen in the immediate and rapid increase of the education grant.[2]

This did not, however, lessen the desire to establish a wider and more satisfactory principle, under which the system might become national. Again (by Mr. Adderley, now Lord Norton) the Manchester and Salford Bill was introduced; again it was opposed by the municipal authorities, who refused to accept a burden without a corresponding authority; and Parliament again hesitated to allow such a question to be dealt with by a private Bill. In 1855 Sir John Pakington introduced a Bill which, through the agency of local Boards, was to apply rates to making existing schools free and to extending the educational provision, enforcing, as well in the voluntary schools as in those maintained by the Boards, a strict adherence to the conscience clause. But in the same Session a Bill was promoted by Mr. Milner Gibson, which even proposed to establish secular schools, and the rivalry of religious parties rose high when they found themselves pitted against one another on the two Bills. In the face of such contentions nothing could be done. In 1856, however, amid

[1] By Minute of 26th January 1856.

[2] The capitation grant rose very rapidly. From about £6000 in 1854 it rose to about £61,000 in 1858.

this incessant struggle on collateral points, a new development was given to the central authority in the Act which established the office of Vice-President of the Committee of Privy Council on Education, whereby a Minister was created responsible to the House of Commons for the disbursement of the rapidly increasing grant.[1]

New attempts continued to be made to solve what at present seemed an insoluble question. Much had, no doubt, been done; but under the dust raised by contending parties it was difficult to discern what effective progress had been made. Had the voluntary system shown itself adequate to meet the want? Was nothing but its gradual development required, and might the nation trust to the accomplishment of its duty through the various voluntary agencies? Or were these agencies only covering a really defective educational provision, and were they to remain necessarily limited in their sphere, deceiving observers by the signs of an activity that was at the best partial in its operation? All parties became convinced that the first step was to inquire into the merits and defects of the existing system, and on the basis of sound information to plan some method of advance. Under this impression it was that the Commission on Public Education, of which the Duke of Newcastle was chairman, was appointed in 1858.

[1] The same tendency towards a Ministry of Education was seen in the Order in Council of 25th Feb. 1856, by which the Science and Art Department was placed under the same Committee, having before been under the Board of Trade. At the same time the Army and Navy Schools were placed under the Education Office.

CHAPTER III

THE COMMISSION OF 1858 AND THE REVISED CODE

THE Commission of Inquiry which began its sittings in 1858 was the direct result of a motion which Sir John Pakington had succeeded in carrying. But other reasons had pointed to the necessity of such an inquiry. For a quarter of a century the State had set apart a certain sum of money annually for the encouragement of education. For nearly twenty years the duty of the State in the matter had received further recognition by the administration being entrusted to a special department. But opinion was still unsettled as to the lines upon which further operations ought to move; there was nothing but vague surmise as to the real work which had been accomplished. Certain facts, indeed, had been fairly well established. On the whole it was admitted that the action of the State had been beneficial, and only a small minority still maintained their attitude of uncompromising opposition to any interference on the part of the Government in a work which had hitherto depended upon voluntary effort. It was also matter of common agreement that there were wide gaps in the work, and that the results would not bear the test of any very rigid examination. And lastly, it was gener-

ally seen that the existing system was not capable of extension so as to meet the real wants of the case; that it was at the best only tentative; and that before it became equal to the development of a real national system it must undergo very considerable changes and modifications, not as regards its extent and operations only, but also in the general principles upon which it was based.

The first work, then, which lay before the Commission was to inquire into the results of the system so far. The tentative efforts—which even those who first instituted them recognised[1] as tentative—had continued for a generation. What had been their fruits?

In some respects the results of the inquiry appeared satisfactory enough. The Commissioners found that about one in every eight of the population was at some time in some school or other. The proportion would nowadays be reckoned too small, as it is now the rule to expect about one in every six of the population to be at school. The Commissioners were content with less; and, so far as the nominal presence in school was concerned, the estimate formed by them, of two millions and a half, was not very unsatisfactory. But a different tale had to be told when the Commission inquired into the worth of the education given to these two millions and a half. In the first place, it did not follow that because a boy had his name on the roll of some school he was often to be found in his place there. There was no settled test of regularity of attendance;

[1] Lord John Russell, who had taken a leading part in the early movement, admitted in Parliament that it was no part of the intention of its first promoters that it should pervade the whole country.

but it was too surely known that attendance was often only nominal. And further, of these two millions and a half only about 1,675,000 were in public schools of any sort; 860,000 (in round numbers) were attending only private adventure schools, of whose efficiency there was absolutely no proof, and whose inefficiency was, in most cases, notorious. Even of the pupils in the public schools not very many more than one half were in schools receiving any grant from the nation, and those which received no such grant were, as a consequence, not subject to any sort of inspection. To state it shortly then: If the State were doing its duty, one in every six of the population should be at school; as it was, only about one in every twenty was educated in a manner about which the State could pronounce any opinion at all. That is to say, more than seventy out of every hundred children were growing up in absolute neglect so far as the State was concerned.

The inquiry into the condition of the private schools showed clearly enough how absolutely necessary was the speedy establishment of some national system. The accounts which the Commission received of these schools are not without something of dramatic pathos, pitiful as they are. In one we read: "It is impossible to describe the poverty and decay which everything indicated. . . . The chief text-book seemed to be a kitten, to which all the children were very attentive." In another, the teacher, "a young man, very pale and sickly in appearance," worked as a carpenter *during the school hours;* "he expressed a strong wish to have an arithmetic book and a grammar for his own improvement." In another, a widow, seventy years of age, eked

out by her school the pittance granted by the Union. Her total income was 3s. 9d. a week. "She complained of inability to buy meat, and without meat her strength fails." No wonder that "she is very weary of life, and hopes that her time on earth will not be long."

The reports of the Assistant-Commissioners all tell the same story. The teachers were untrained, uneducated, recruited only from the ranks of those who had failed in other paths of life. Discharged servants, out-door paupers, cripples and consumptive patients, those weak with the decrepitude of age—to these and such as these, dragging on a miserable and hopeless existence of the hardest drudgery, the education of nearly a third of the children of the country was entrusted. In the face of such a revelation there could scarcely be two opinions as to the urgent need of action. We still hear occasional complaints that State agency has dealt hardly with private effort, and harrowing pictures of the decent dame's school crushed out of existence by the iron rigidity of the State are drawn for us. It is sufficient answer to point to the supreme duty of the State, before which private interests must give way. But were further answer needed, it would surely be supplied by the revelations which laid bare the reality of the life these private teachers were living, of the dreary and useless hours spent by the children under their care.

It was upon the infant schools that the whole educational edifice rested. About ten or eleven was the highest age to which the Commissioners thought we might reasonably expect that the greater part of the children of the working classes would remain at school. After that their labour became too profitable to permit the parent,

as a rule, to forego the help it brought. So much the more necessary did it become to begin early, if we were to make sure that the child was to gain at school anything that would remain with him through life. But it was just in the infant schools that the defects were most glaring. They were little more than nurseries; but nurseries in which every sanitary rule was neglected. There was often scarcely a pretence at education. The children were crowded together, "tumbling over each other," says one Assistant-Commissioner, "like puppies in a kennel." In such places the years of most value for beginning the training of the child were passed; the age of ten or eleven was reached with little or no advance; and when the boy left school for labour, it was with a little knowledge hurriedly acquired in a year or two, and certain to pass entirely out of his mind before many months were over. The only remedy for this that the Commissioners could recommend was the establishment of night-schools. In these they found abundant earnestness and enthusiasm, but they were running to waste for want of organisation.

As to the superiority of the State-aided schools the Commissioners felt no doubt; and it was upon this that they based their conclusions as to the expediency of expanding the system on new lines. The resources, the organisation, and the aims of these schools naturally occupy a large part of their inquiry.

The central point of the whole system, as we have already seen, was its dependence upon voluntary societies. From them must come, in each case, the first movement; it was the business of the Department only to evoke and encourage these voluntary efforts by Parliamentary

aids, and to be careful that no condition should be attached to that aid of such a nature as to take away the primary motive of the efforts. So far as could be reckoned these voluntary societies had expended something like a million and a half upon schools. To meet this the State had, between 1839 and 1859, in building grants, in training teachers, and in annual grants to schools, given about four millions. In regard to the expense of maintaining a school, it was reckoned at about 30s. a head. Of this the Government grant, where it was given, met about one quarter; the fees from a quarter to three-fifths; and the subscriptions met the deficiency, ranging from less than a quarter to a half. To meet the expense of a national system would undoubtedly be a heavy undertaking; and we can scarcely wonder that the Commissioners shrank from recommending the abolition of fees, which had been proposed in some of the Bills submitted to Parliament, or from any action which would alienate voluntary subscriptions. How copious a source of revenue these subscriptions were, may be guessed when we remember that in 1859 above nine or ten in every eleven schools were established and supported by the Church of England. The extension of the State system had to be made on more cautious lines.

But apart from the principles which should regulate the action of the State, and the terms upon which she should make her bargain with voluntary agencies, it was necessary also to consider the machinery by which that aid was given and the means by which the State should insist upon efficiency. For many years, as we have seen, the monitorial system had been accepted as one of the traditions of the Lancasterian system. But the

conclusion had forced itself on the attention of the experienced that the monitorial system was at once cruel and inefficient; that it worked the ruin of the monitors themselves, and made the education of the children entrusted to them little better than a sham. In 1846 had come the Minutes providing for trained pupil-teachers, apprenticed to the profession upon certain conditions, undergoing certain fixed tests, and receiving a regular professional training. This system had accomplished much; but it was still liable to impose an undue strain and to produce a mechanical and routine method, instead of that inventive energy upon which a teacher's success depends. The trained teacher was indeed better than the untrained; but with the system of inspection then in operation the mere training of the teacher did not ensure the thorough efficiency of the school. The inspector could describe the "tone" and general appearance of the school; he could speak as to the amount of intelligence shown in the upper classes; but the Commissioners felt doubtful as to the thoroughness of the test. They desired the individual examination of the scholars, so as to prevent that neglect of the backward pupils to which the teacher was impelled by many motives. In other words, they affirmed very distinctly, although with reservations, the principle of payment by results. "There is only one way," they say, "of securing this result (the efficiency of the elementary teaching of every scholar), which is to institute a searching examination by competent authority of every child in every school to which grants are to be paid, with the view of ascertaining whether these indispensable elements of knowledge are thoroughly acquired,

and to make the prospects and position of the teacher dependent to a considerable extent on the results of this examination."[1]

There was abundant proof that some such stimulus was necessary. The upper classes of the inspected schools were fairly efficient. But not more than one-fourth of the pupils were in these classes, and the rest were unquestionably neglected. The influence of the inspected school was good in raising the standard of a district, and in giving a distinct impression of organised effort in a matter which hitherto had been left to chance. The influence of the upper classes of a school, too, was good so far as it impressed even the lower classes with a good example. But it left these lower classes too often with no more than a parrot-like learning. Reading was often by sound only, without any attempt to convey a meaning. The intelligence of the children remained unstirred. The instances of this are at times grotesque in their absurdity. The children never thought of connecting what they read with any of the ordinary experiences of their life, and to them the written language unexplained was as far removed from their vernacular as a foreign tongue. Here are two written answers, obtained from children of average intelligence in an inspected school in 1855, to the questions —"What is thy duty towards God?" and "What is thy duty towards thy neighbour?":—

"My duty toads God is to bleed in Him, to fering and to loaf withold your arts, withold my mine, withold my sold, and with my sernth, to whirchp and give thanks, to put my old trash in Him, to call upon Him,

[1] Report, p. 157.

to onner His old name and His world, and to save Him truly all the days of my life's end."

"My dooty toads my nabers, to love him as thyself, and to do to all men as I wed thou shall and to me; to love, onner, and suke my farther and mother; to onner and to bay the Queen and all that are pet in a forty under her; to smit myself to all my gooness, teaches, sportial pastures, and marsters, etc., etc."

The first essential, then, to meet a state of matters where such things were possible, was to produce thoroughness of teaching in those schools which the State was able to reach. But two questions remained, on each of which the Commission had to pronounce. The first was, how to get the children into school; the next, how to extend the school system, so as to make it really national, and yet to do this without either infringing upon the rights of conscience, or destroying those powerful motives to exertion which give birth to voluntary effort.

The consideration of the means of getting the children to school involved the large political question of Compulsion. The Commission had found that, in public and private schools, there were about two and a half millions of children. Their attendance was indeed miserably irregular. But it was not proved that there was on the part of parents either a want of appreciation of education or an unwillingness to pay the fees. The real hindrance was the temptation to obtain employment for children at the earliest possible age, and this was a temptation which the Commission despaired of being able to overcome. It could be counteracted only by establishing a well-organised combination of half-

time labour with half-time attendance. But compulsion the Commission were not prepared to adopt. They believed the tendency of public opinion to be conclusively against it, and they were not prepared to advise what might be in advance of public opinion, and might thus give rise to a reaction against education as an undue interference with parental rights. Doubtless, compulsion existed elsewhere. It was the absolute rule in Prussia; but the argument which the Commissioners deduce from that example seems scarcely to warrant their conclusion. Compulsion, it is true, they say, exists in Prussia; but it is not of recent growth, and has existed there since the Reformation. It has become practically superfluous long ago; public opinion is so strong that parental neglect is rare; and Prussian compulsion can therefore be no precedent for introducing compulsion amongst ourselves. But the argument seems surely to lead the other way. If a compulsory system had borne fruit in Prussia in such a state of public opinion as rendered it practically superfluous, surely no better proof could be asked of its beneficial effect. However that may be, the Commission pronounced very decidedly against any such system, and we can scarcely affirm, rapidly though public opinion has ripened on the question, that they were wrong in their estimate of that opinion at the time.[1]

[1] They were fortified in this opinion by the statistics of school attendance which they obtained. Out of a population of some twenty millions, two and a half millions were at school. Undoubtedly there had been an influx during some years previous. In 1803, statistics had shown 1 in 17½ at school; in 1818, it had slightly increased; in 1833, 1 in 11¼ was at school; in 1851, 1 in 8·36; and in 1858, 1 in 7·7. In Prussia the attendance was 1 in

The next question on which the Commission were called upon to decide was as to the best means of enlarging the supply of schools. State action was now accepted by all but a few as a necessity; but State action must be supplemented by something more effective than the casual efforts of volunteers. It happened, however, that these volunteers had a firm footing in the educational system; that no schools would be accepted by the mass of the nation in which the religious element, which these volunteers represented, was not present. The State, on the other hand, could not take an active part in that religious domain without stirring up as many qualms of conscience as she would have stirred had she imperiously shut religion out of the school. It was an easy and careless solution to beg the State to relinquish the work out of deference to these prejudices; but that solution was rendered absolutely intolerable by the revelation of deficiencies which the report of the Commissioners set forth.

They did not advocate any change in the attitude of the State to the religious communities. To these they still looked for the motive power, and they believed that any tendency unduly to curtail their privileges would lead to a reaction against a State system of education. In any changes, therefore, which they recommend, they leave this fundamental basis of State action unaltered. The State was still to recognise, but to recognise on an equal level, the religious teaching of each

6·27; in Holland, 1 in 8·11; and in France, 1 in 9. On paper this was not so very unsatisfactory. But it must be remembered that there was no test either of regular attendance, or of the efficiency of the schools.

religious sect. The principle of a State Church was *not* to be carried into the school. But, on the other hand, just as little was the State to be held responsible if the actual position of the State Church, while imposing upon the Church the lion's share of the burden, so also gave to her the lion's share of the grant.

But good as this was in its way, it was not enough. The State subsidy had from the first been proportioned to voluntary effort.[1] But voluntary effort was not likely to be greatest in the poorest localities. Where population was thin the conditions of State aid could seldom be fulfilled. It is to the credit of the clergy that they manfully bore the burden and heat of the day, and continued most liberally from very narrow resources to supply what was lacking in the liberality of the landlords. As to this, the same story is told both by the reports of the Department's Inspectors and by the report of the Commission. But the clergy were unequal to the demand made upon them in very small parishes, where the population was almost exclusively of the working class. These poor parishes the State system did not reach. In the diocese of Oxford the Commissioners found only twenty-four schools receiving aid in 339 parishes, with populations of less than 600; only five out of 130 such parishes in Herefordshire; only one out of 280 in Somerset; only two out of 245 in Devon; and so on with other counties. In these rural districts the

[1] The capitation grant had been the first breach of this principle. It was at first expressly intended to provide some aid to poorer districts, independent of their own contributions. It was to be accompanied by an Act empowering more wealthy districts to rate themselves; and it was only when all hopes of this Act were abandoned that the capitation grant was extended generally.

Department's help was practically unfelt. One method of meeting this was by extending the capitation grant. But that grant not only failed to provide any thorough test of efficiency; it was also unfair, because it was distributed irrespective of any poverty in the locality; and the Commissioners further dreaded its extension as a means of establishing an unsound system of transferring the burdens of the locality to the State. The habit of "grants in aid" is one which has spread since 1860 with a rapidity which sound finance might deprecate; but the Commissioners at that date expressed themselves firmly against a system which might, as they calculated, cause the grant to grow, in no long time, to £2,000,000 a year.

Their determination was, then, that we ought to localise expenditure and accompany any measure for that end with some sort of local representation in the administration of the educational system. So far, they accepted the principle which had underlain all the recent proposals for legislation. The local contribution was to be fixed and compulsory; voluntary effort was not to be thrown away; but those who shirked this voluntary effort were not by that means to throw *all* the burden on their neighbours.

The next question was, How was this local revenue to be raised, and how was local representation to have a place in its expenditure? The Commission were not prepared for the bold experiment which some were ready, even then, to try. They did not adopt the principle of a parochial rate. They recognised, indeed, the advantages of this as likely to give rise to local interest and to economy. They allowed that it would quickly lead

to the supply of necessary schools. But they rightly deemed it necessary to accompany any such parochial rate with the management of schools by a Parochial Board; and such management of schools they deemed to be more dangerous than the distribution of money amongst voluntary schools. They saw no way of overcoming the religious difficulty; but even more than this, they dreaded the unfitness of any parochial body for the administration of educational affairs. They predicted that such a body would starve the schools, would lower the grade of teachers, and would be unwilling to venture upon those experiments by which alone an advance might be made. Other opinions, indeed, were brought before the Commission; and the present Bishop of London, amongst others, urged that the difficulties would be chiefly found in the earlier years, and would after a time disappear. But the Commission could not forget the failure of repeated efforts to secure any common basis of action, as shown in the withdrawal or defeat of one Bill after another which aimed at such a system; and they felt themselves bound accordingly to advocate a different measure.

The leading aims of the proposal which they made are thus represented by themselves:—

"In the first place, that the system may be made applicable to the poorer no less than the richer districts throughout the whole country; secondly, that the present expenditure may be controlled and regulated; thirdly, that the complication of business in the (central) office may be checked; fourthly, that greater local activity and interest in education may be encouraged; fifthly, that the general attainment of a greater degree of elementary knowledge may be secured than is acquired at present."

Some of these aims involved matters rather of official

routine and organisation than of principle. Under a system which was avowedly only tentative, and which was limited and partial in its operation, there had grown up a method of distributing the grant which could not be continued under a system which should be spread over every part of the country. The Department had been bound to create a regiment of qualified teachers; and it was inevitable at first that these teachers should be dealt with personally. Payments, indeed, were made through the managers; but such payments as were allowed for the maintenance of schools had been made chiefly in the name of the teachers. Such were the Augmentation Grants. These were personal allowances; and as they belonged to the teacher, they tended to dissociate the managers to a certain extent from responsibility for the efficiency of the school. This was possible so long as the managers discharged a voluntary duty, in which they might or might not seek the assistance of the State. The State could then ask only for certain primary conditions; and when the managers fairly did their duty, and appointed a teacher with the Government guarantee of efficiency, they, on the other hand, might reasonably claim that the State should give the expected allowance. But with an extended system local responsibility must be increased. The managers must be responsible. They must make their own terms with the teachers, and receive assistance, on fulfilling their contract with the teachers, in proportion to the results achieved under their management. This led to two inferences: first, the payments must be directly to the managers, and to the managers only; and secondly, they must depend upon an examination which should test results. Hitherto the

reports of the inspectors had spoken only of the general tone and efficiency of the school. Hereafter there must be an examination to ascertain how much the individual scholar had learned. Such a system was not only a corollary to the establishment of an unavoidable local responsibility, but it also gave that necessary simplicity to the departmental administration, without which that administration must tend to become a vast and complicated system of inflexible rules. And with those rules the Department would assume a responsibility which no central authority could properly sustain. Were it to continue to present the teachers to the managers as its accredited agents and instruments, it would have been impossible to hold the managers responsible for those individual results by which, and by which alone, a sure test of efficiency could be maintained. The Department must have remained content with ascertaining that no flagrant breach of rules, and no self-evident and palpable failure, had occurred; and, according to this, and this alone, it must have paid or withheld its subsidy.

As to these more detailed suggestions of the Commissioners, upon administration, little could be said. There were no doubt those who objected to them then, as there are those who persist even now in seeing in them only a degrading influence on education. But even their detractors must admit that they have played a long and useful part in the State system. It is different with the leading principles upon which the Commissioners suggested that Local Aid and Local Representation should be based, and how the relation between these and the Central Government should be regulated.

In the first place, they proposed that instead of a

parochial there should be a county rate.[1] The produce of that rate was to be assigned to schools which satisfied certain conditions, and proved a certain attainment on the part of their scholars. That rate was to be administered and distributed by a county Board of Education, to consist partly of ex-officio members, partly of members elected by the Court of Quarter Sessions. Only in the case of the larger boroughs was a borough rate to be levied, and to be administered by a Board elected by the Town Council. The examination of individual scholars, on which the share of the local rate was to depend, was to be conducted by examiners appointed by the County or Borough Board. The Department's inspector, as before, was to satisfy himself of the general efficiency of the school; and, on his report, a certain graduated capitation fee was to be paid by the Department. Into the minute regulations as to the proposed amount and method of payment it is unnecessary here to enter.

The Commissioners claimed that these proposals supplied many of the requirements which their inquiries had shown to be called for. They supplied the necessary starting-point for the poorer districts in the share of the local rate, earned upon the results of the examination. They guaranteed, by conditions attached to the Department's grant, that qualified teachers, and these only, should be employed. They ensured local co-operation and local interest, and that through bodies less liable to the errors of which the Commissioners thought that

[1] The obvious objection to this was taken, viz. that it relieved property of the value of £550,000,000 of a burden, and placed the burden on property of the value of £86,000,000. But the larger area was thought more safe when the peculiarities of educational administration was considered.

popularly elected boards would be guilty. They ensured that greater simplicity in organisation and in the system of payment which was desired, as well as a sure method of testing results. Lastly, the Commissioners hoped that their plan would solve the religious difficulty, by neither interfering with the free action of voluntary managers on the one hand, nor assuming a responsibility for religious teaching on the part of the State on the other.

Such were the conclusions as to the existing state of education in the country, formed by the most elaborate Commission of Inquiry on the subject that had yet sat, and such were the proposals which they submitted. These proposals were not adopted in the shape in which they were submitted; but they formed the starting-point from which new movements were taken in advance.

Already the Department had been preparing the way for a revision of their system. To do so, it was first necessary to get a clear view of that system. Hitherto it had been worked through occasional Minutes, which had received the sanction of Parliament only so far that Parliament granted the money which these Minutes made necessary. The first step towards a Code was made when an abstract of these Minutes was published, as a Parliamentary paper, in 1858.[1] Parliamentary papers had been previously issued both in 1855 and again in 1858[2] containing these Minutes in chronological order. But this, of course, gave no continuous view of the regulations actually in force. A much more

[1] Parliamentary Paper, No. 192, 1858.

[2] Parliamentary Papers, 158 (1855) and 191 (1858).

important step was taken when, under the Vice-Presidency of Mr. Lowe, the Minutes were, in 1860, published in the form of a Code, arranged in chapters according to subjects. The Original Code, as this was called, embodied regulations which were already doomed; but the form which it assumed, of a division into chapters and articles, served as the precedent upon which all subsequent Codes have been modelled.

It now fell to Mr. Lowe, as Vice-President of the Committee of Council, to determine what action for remodelling the system embodied in the Code of 1860 should be taken upon the Commissioners' report. The criticisms of the existing system which had been put forward by the Commissioners could not be disregarded. It was, as they said, complex, and unfitted for expansion by reason of that very complexity. It was partial in its operation, and left untouched many of the poorer parts of the country which most needed assistance. Its results were disappointing when a rigid test was applied, and only one-fourth of the children in aided schools were said to receive a sound elementary education. Added to all this, it was expensive, and the expense tended constantly to increase. All these criticisms the Vice-President admitted to be so far true. He agreed further with the Commissioners that the organic principles on which State intervention was based should not be changed, that the religious and denominational character of the schools should be maintained. "It is not the intention of the Government," he said, when introducing the educational budget on the 11th of July 1861, "to infringe on the organic principles of the present system—namely, its denominational character, its foundation on

a broad religious basis, its teaching religion, and the practice of giving grants from the central office in aid of local subscriptions, the propriety of those grants to be ascertained by inspection."

So far, then, the conclusions of the Commission were accepted. But, although Mr. Lowe had a sufficiently drastic change to propose, he did not follow the lead of the Commissioners on other points. To begin with, they had recommended the division of expense between the locality and the central government by imposing upon County and Borough Boards the burden of contributing to schools. The proposal *indicated* what was wanted, but it lacked boldness to carry it to its logical conclusion. If the locality were to contribute, the great advantage which might thereby be gained was local interest and local management. But to impose a burden with no corresponding control was unjust and almost unreasonable, and would kill rather than foster local interest. The Vice-President had little difficulty in overthowing the proposal. It meant, as he said, merely distributing the expense in a different way without giving any new security for its beneficial application. He compared it, not unfitly, to the joke of Liston, who fined himself by taking money from his left-hand pocket to put it in his right. If the nation were not prepared to give the ratepayers a control, it was better to abandon the plan of imposing any fixed local burden exigible by law. To have carried the full proposal would have been impossible in 1861, and it was wisely decided to attempt no lop-sided experiments.

So much for the first and larger proposal of the Commissioners, which would have required legislative

action. Next, as to their suggestion on the method of apportioning the grants. They had proposed that the smaller capitation grant, payable by the State, should depend upon the general report of the inspector and the qualifications of the teacher; that the larger local grants should be allotted upon the results of the individual examination, by whatever means these results were produced, whether by a certificated teacher or no. Mr. Lowe refused this part also of their proposals. He saw no reason to abandon that guarantee for the general efficiency of the school which was obtained by having a qualified teacher who held the certificate of the Department, and whose career was known and his fitness tested throughout. To give only the smaller inducement of the capitation grants for such qualification would have inevitably led the managers to cram their pupils, through a second-rate teacher, irrespective of all moral training or general organisation of the school, so as to secure a full grant for the examination, even at the sacrifice of the capitation grant. The Department wisely decided in no way to weaken its hold over the schools by surrendering the condition as to the class of teacher who could earn a grant.

But two great changes, both indicated by the Commissioners in part, were introduced. First of all, to promote simplicity of working, payments were no longer to be made to teachers personally, but to the managers of schools. The consequences of this were not, of course, confined to mere simplicity of working, important as this was. It was more important that the new plan inevitably increased the responsibility of the managers, and that it put an end to the direct relation between

the teacher and the State. The latter no longer occupied, what he almost occupied before, the position of a servant of the State. He only held the licence of the State, and was free to make his own terms with his employers. It was their interest to pay him well, in order to increase the grant and lessen thereby their own expenses. But the amount of payment was a matter of bargain between him and them.

But a still more drastic change was made in the acceptance of the principle that, not instead of, but in addition to, the qualification of the teacher, the condition of the attainment of certain individual results by the pupils should be attached to the grant. Hereafter there were to be three sets of conditions:—1st, the school must be held in approved premises, and must be under the charge of a certificated teacher; 2nd, the children must have made a certain number of attendances; 3rd, they must pass an individual examination in reading, writing, and arithmetic, and according to the results in each individual case a grant was to be made.

These, then, were the main principles of the "Revised Code," as it was called, over which so much discussion took place, and which established the leading conditions on which grants continued to be apportioned, throughout all the changes in school management and in the law as to school provision which have since taken place.

The Minute, by which the Code drafted in 1860 was modified or *revised* in the direction indicated by Mr. Lowe, was dated 29th July 1861. The object of the Revised Code was, as expressed in that Minute, to make the distribution of the grant "more simple, more general, and more effective for its purpose."

CHAPTER IV

PROGRESS UNDER THE REVISED CODE

SUCH was the Revised Code of Mr. Lowe, as originally planned. He had left untouched what he called the main principles on which grants had previously been based, and had attempted to steer clear of the religious difficulties which surrounded the question; but none the less he raised against himself a storm of objections. The educational edifice, so far as it existed, had been built up mainly by the exertions of voluntary Societies, acting at first independently, and latterly extending their operations at the invitation of the State. These Societies had naturally acquired influence and consideration from their voluntary efforts; they were thus interested in maintaining the terms of the bargain which they conceived themselves to have made with the State. But the very existence of the system which they had helped to establish might be involved in the change. The Revised Code would put that system to the most severe test. If the result should prove that it had been a failure, to any great extent, the consequence was indubitable. It would then be the duty of the State to supplement these voluntary efforts by a compulsory rate; and the abortive schemes which had lately been brought

forward all proposed local representative management as the necessary accompaniment of such a rate. Before such representative management the voluntary societies must abandon a great part of the field which they had hoped to occupy. Nay, more than this, the Government, in justification of the Revised Code, accepted, as at least sufficiently proved to demand inquiry, the conclusions of the Commissioners as to the defective state of education. The existing managers not only found themselves committed for trial, but more than half condemned beforehand.

The old religious controversy thus reappeared in a new form in the Battle of the Codes. The Revised Code, it was said, played false with the great religious and voluntary societies upon whom the burden and heat of the day had fallen. "It was," so it was said, "an act of spoliation ever to be remembered with shame."[1] But not only was the more severe test of individual examination said to be an unjust one to the existing managers: it was also confidently stated that it would injure the character of the schools. There was much in the new system to give rise to doubt. Even while we are compelled to set them aside, yet it is impossible not to have some sympathy with the objections, which the best teachers might feel, to have their work appraised by the hard-and-fast test of individual examination. With all the safeguards possible, it was inevitable that there should be hardship, that peculiar circumstances should have to conform to general rules, and that the free play of individual methods of teaching should to some extent be limited. But if the objections of some were worthy

[1] Letter from Sir J. K. Shuttleworth to Lord Granville.

and conscientious, the general discontent was greatly swelled by the timidity of the pretentious and inefficient teacher; and thus the weight of professional opposition was added to the bitterness of the religious contest. The Revised Code system was, so its opponents alleged, unduly harsh, necessarily hurried and uncertain in its application, and mechanical as a test of real efficiency. Against the adverse verdict of the Commissioners, which, it was asserted, had been too readily admitted, there were set the reports of the Inspectors, and the naturally favourable views taken by the religious and voluntary bodies of schools which were their own creation. For months the Education Department as well as Parliament was besieged with protests and memorials. Mr. Lowe became the object of all but unanimous attack. The advocates of an organic change of system rejected his plan as insufficient: the supporters of the existing state of things, who found themselves condemned, as they thought, on one-sided evidence, and suddenly subjected to an ordeal for which they were in no wise prepared, accused him of injustice and breach of contract; the teachers looked upon him as a hard and unsympathetic taskmaster.

Whatever the opposition, however, the principle that the nation was not only entitled, but bound, to test most rigidly the character of the work for which it paid, was too obvious to be resisted, and the opponents were compelled to yield. The Parliamentary grant had increased "by leaps and bounds;" it was no longer possible to trust to any lax system of ascertaining whether the worth of the money was obtained. Mr. Lowe, somewhat cynically, summed up the matter when he said:

"If the new system is costly, it shall at least be efficient; if it is inefficient, it shall be cheap." Lapse of time has proved it to be necessary to modify some of the features of the Revised Code; and as the aim of popular education has extended, so subjects have been introduced which do not admit of a rigid individual test. Nearly twenty years later Mr. Lowe, as Lord Sherbrooke, objected to the introduction of higher subjects into the curriculum recognised by the Education Code, on the ground that these subjects did not admit of the principle of the individual testing of results, which he established. However that may be, the Code has for some years recognised that the test should be one of general rather than of individual examination.

Even before its actual introduction the Revised Code underwent some considerable modifications from the original draft. At first it had contemplated a grant based almost entirely upon examination. Children were to be paid for at the rate of a penny for every attendance over one hundred; but as one-third was to be deducted for a failure in each of the three standard subjects, this amounted virtually to an examination grant. At first, also, it was proposed that the children should be graded for examination in four groups according to age, a requirement which might clearly have worked grievous hardships in the case of those neglected children whom it was the chief duty of the State to reach. Both these features of the Revised Code, as promulgated by the Minute of 9th July 1861, were subsequently modified by changes announced in Parliament in the spring of 1862, and subsequently embodied in a Minute of 9th May 1862. The grant, as now arranged, was to

be given partly for attendance and partly for examination. To begin with, four shillings was to be allowed for each child in average attendance, and two shillings and eightpence (or eight shillings in all) for a pass in each of the three standard subjects of reading, writing, and arithmetic, made by a child who had attended two hundred times. Infants (*i.e.* children under seven) were not to be subjected to individual examination, and the standards were not to be graduated according to age, but according to the arrangement of classes in the school.

In this shape the Revised Code was introduced, and left to tell its own story; and it was probably fortunate that for some years to come other political questions occupied attention, and so permitted the gradual ripening of opinion upon the Educational problem. As it was, these years were well spent in testing by experience the adequacy of the existing system, and in learning what lines expansion must follow.

At the very outset the Department did what was in its power to guard against the examination becoming a mere formal tabulating of results. In the Instructions which were issued to Inspectors on the introduction of the Revised Code it was distinctly pointed out that "the grant to each school depends, as it has ever done, upon the school's whole character and work." "You will judge," the Inspectors were told, "every school by the standard which you have hitherto used as regards its religious, moral, and intellectual merits. The examination (under the Standards) does not supersede this judgment, but presupposes it."

But these Instructions did not prevent the growth of

dissatisfaction with the results of the New Code. The department had to meet not only complaints from outside, but very adverse criticisms of the new system by their own officers. One most palpable, and at the same time most unpleasant fact for those concerned in the management of the schools, was that the grant began regularly and rapidly to decline. Hitherto, with one exception,[1] the grant had advanced from year to year by large strides: now it fell off. In the first year it fell from £842,119 to £774,743 : 2 : 3. At first this could, perhaps, be explained as not due to the Revised Code. The rate of the building grants had been again reduced, and the grants for books and apparatus were discontinued. These accounted for a large part of the reduction; but neither of these could be said to be connected with the principle of the Code. The Revised Code was not attended by any diminution in the local voluntary contributions, at least. In round numbers, the annual maintenance of elementary inspected schools was calculated to be provided for in the following proportions: rather more than £400,000 from local contributions; about £509,000 from public grant; and about £334,000 from school fees. For the first year, at all events, the Committee of Council might fairly assume that the Revised Code, with its central principle of payment by results, had neither led to any diminution of the zeal with which local managers prosecuted their work nor had materially changed the hands to which that work was entrusted.

[1] The exception was the year 1860; but the decline was then due to a lessening of the rate of building grant, and to a restriction in the number, not in the rate of payment, of pupil teachers.

In the next year, however (as shown in the Report for 1863-64), the diminution in the Parliamentary grant continued;[1] and without doubt it proceeded in great measure from the operation of the Revised Code. But reasons were easily assigned for this, which showed it to have been salutary in its effect. In the first place, under the Old Code, with its personal payments, there was no middle course between total refusal of the grant or payment for it in full. A school might be faulty in various respects: the examination might show the curriculum to have been pretentious and the instruction unsound; but an Inspector would naturally hesitate, except in cases of wilful and persistent neglect, amounting to actual misconduct, to mulct the teacher of the chief part of his salary. But under the Revised Code such a school would suffer, and justly suffer, very serious deductions, even while it obtained a certain portion of the grant. A still stronger ground of defence, however, for this diminishing grant, was based upon the curb which it showed to have been placed upon extravagance. Under the old system the teachers were paid from two sources—the local voluntary managers and the Imperial grant. The Imperial grant was necessarily allotted at fixed rates, which took no account of local circumstances, or of small distinctions in the merit or value of teachers. It bore no relation to the results, but there was imposed upon the managers the necessity of supplementing it at a minimum rate. Without the supplement the teacher would have lost his grant; and hence a stipulation generally existed that the necessary supplement should be paid although it might raise the salary

[1] It fell to £721,391 : 15 : 8.

above what was necessary. In other words, this older system had been extravagant because it interfered with the freedom of contract. The responsibility for the results now rested with the managers; they might obtain these results by any means in their power, with the single stipulation that their teachers should have obtained a Government certificate; they were the recipients of the grant, and might allot it amongst the staff in the way they thought most economical and most effective. In the earlier stages of the work, as the Report remarked: "Good organisation had to be taught by example." The Department was bound to encourage liberality, and to develop a certain system of teaching. "Had grants not been liberal, school managers would not have ventured on an experiment, and had they not been appropriated to particular details, the experiment would not have taken the desired direction." But now, as the Report went on, "It became the duty of those to whom the administration of the public fund for education was entrusted, to insist upon conditions that offered greater guarantees for economy, and freed contracts between managers and teachers from interference by the State."

So much for the direct financial results of the Code. Mr. Lowe might fairly boast that one of his alternatives was realised, and that if the work was not as well done as it might be, it was at least tending towards cheapness. But other objections to the Code did not diminish as time went on. Mr. Matthew Arnold spoke of it in terms of scarcely disguised hostility. It might, he said, have other advantages; but undoubtedly and of necessity it would substitute a more mechanical system of inspection

for the old scheme of obtaining a measure of the general intellectual life and tone of the school. Others joined him in his criticisms; but, on the whole, the inspectors pronounced that the evil was overbalanced by the good. The tendency to a mechanical gauging of results was one which the Department had expressly endeavoured to prevent; and generally it may be said that such modifications as have been from time to time introduced into the system of allotting grants have all of them been directed to the object of securing that instead of the bare fulfilment of the condition of individual examination, there should be, as the result of inspection, some appraising of the higher aims of school work.

In 1864 the grant was found to have again fallen off.[1] The same causes could still be assigned for this. Salaries were, it could be asserted, finding their proper level; economy was practised now where there had been no motive for it before; and a superfluously large staff of pupil-teachers, paid at one and the same rate for a remote Cornish village and for London, had been curtailed and adjusted. But in other than merely financial aspects, both the good and the bad sides of the Revised Code were becoming more clear. It had made unpleasant and much-needed exposures of pretentious work. It had brought out the lamentably small number of children who passed the Standard suited to their age, or indeed any Standard which would represent a modicum of knowledge likely to remain with them during life. All this was well, and many Inspectors professed their adherence to the new system. But, on the other hand, complaints of over-pressure, produced by

[1] It had now fallen to £655,041 : 11 : 5.

it, were beginning to be made. The managers looked upon the children as the instruments whereby to indemnify themselves against loss. "Failure," says one Inspector, "causes not regret for the child's ignorance, but indignation at his stupidity." With some cynicism, the Report of the Committee of Council remarks upon this: "If the less amiable motive prove to be the more energetic, we shall not regret the appeal to it." The appeal to that motive *was*, perhaps, in calmer moments, to be seriously regretted; but the general complaints deserved the less attention, inasmuch as the real blame lay rather upon the indiscreet eagerness of the managers for higher grants, than upon the insistence by the Committee on a thorough test. This is the fact which is at once the most indisputable and also the last to be recognised in any general discussion of the requirements of an educational Code. The conditions must be strict; it is for local managers to say how far they may safely go without undue pressure on their scholars. In considering recent complaints of "over-pressure," it would be well if this were borne in mind.

Next year the result of the new experiment was much the same. Again the grant fell by about £20,000, and much the same causes had to be assigned for the fall. It was feared, indeed, that the economy which had come from leaving contracts free was being carried too far. Managers charged rather a higher scale of school fees: they were inclined unduly to restrict the teaching staff, and, worse than all, they were apt to throw the pecuniary risk of the school upon the teachers, thus divesting themselves of a responsibility which was properly theirs, and forcing the

teacher to look rather to the pecuniary success of the school which he farmed than to its thorough efficiency. The full advantages of the Revised Code could be attained only if the other end of the cord which the Government held was in the hands of managers who were animated by the higher aims of unselfish voluntary effort, and who were prepared to look upon the system of payments by results as a test of efficiency, and as a check upon their teachers, but not as fixing the high-water mark of possible attainments, nor as the guiding principle of their own action, to which all else was to be subordinated. There were, undoubtedly, instances of cruelty and pressure, but for these the managers, and they alone, were responsible. Instances like the following, adduced by one Inspector, were not unparalleled :—

> They (the managers), feeling how much depends on a good muster for the inspection, insist (sometimes against the remonstrances of parents) on the appearance of children who are not sufficiently recovered from dangerous or infectious complaints to make their attendance safe either for themselves or others. At a time when scarlatina was epidemic in a thickly-populated district, I had children brought to be examined with throats bandaged and skins peeling, who ought certainly to have been in bed, and one of whom had to be taken away during the examination. On another occasion, the manager of a school, after the examination was, as I thought, completed, came to me, and said that he would be much obliged if I would examine five children who were waiting in the class-room, as it was unsafe to introduce them into the schoolroom, and I subsequently found the mother of one of these children crying outside the door from anxiety respecting her little boy, who had been brought out of his sick-room in order to be present at the inspection.

We often had complaints in later years of the over-pressure induced by the system then established. But

such scenes as these soon ceased to be tolerated: and that they became impossible was due to the improvement in public opinion, and to the increased sense of local responsibility, to which we are surely entitled to look for the prevention of the cruelty and folly of over-pressure.

Regarded in its merely educational aspects, the Revised Code had one evil result, to which a considerable number of the Inspectors testified. It had undoubtedly a tendency to limit the instruction to the three elementary subjects of reading, writing, and arithmetic. With its original framer, this result may neither have been unexpected nor undesired. But it tended to reduce the general intelligence of the schools, to lessen their interest, and to take away that variety which enabled them to fit into the circumstances of each district. It was to counteract this that an important modification was introduced into the Code by a Minute of 20th February 1867. The prospects of a larger educational measure were now reviving, and both of the political parties in the State were in tolerable agreement as to its necessity. There was no disposition to restrict the Parliamentary grant: and accordingly it was a Conservative Government which proposed this, the next considerable change which intervened before the legislative action of 1870.

The object of the Minute was first to encourage the teaching of something beyond the Standard subjects, and at the same time to stimulate the apprenticeship of pupil-teachers, and their advancement to the higher grade of the profession as certificated teachers. An additional grant of 1s. 4d. on every pass was to be allowed

up to the limit of £8 for each department of a school: and the conditions of its payment were to be, briefly, the provision of a staff rather larger than that ordinarily required, the attainment of at least two out of every three possible passes, the passing of at least 20 per cent above Standard IV., and the teaching in the school of at least one specific subject of instruction beyond those recognised in the Standard examination. In addition to this a premium was offered to every school which sent forward a pupil-teacher who successfully competed for a Queen's scholarship at the Training College, and a further premium if that candidate succeeded in his examination for a certificate. It was intended to meet the two objections most frequently urged to the Revised Code: first, that it reduced all teaching in the schools to the beggarly elements of the Standard examination; and secondly, that by its operation the supply of trained teachers was being checked at its source.

This plan was one devised by the Conservative Government of 1867, partly in order to meet some of the complaints so freely urged against the Revised Code. The main principle of that Code had been vindicated—that of payment by results. But it had undoubtedly limited the aim of the schools, and had tended to some extent — to quote the summarised version given of several reports—"to efface the more intellectual aspect of the best schools under the old system." That the grant had fallen, and had continued to fall, was proof that managers found it hard to meet its conditions. But, in truth, much of the complaint had its origin only in that unworthy abnegation of local responsibility

which makes managers believe that a Code, however carefully devised, can be, or ought to be, the guide which they are to follow implicitly, without any regard to local or individual circumstances. At one time it is complained that the higher aspects of school life are forgotten; at another, that the Code prescribes an absurdly high ideal: that children are overpressed, teachers overstrained, statistics unduly multiplied. Out of all such criticism some residuum of solid worth may be left: but the greater part of it arises simply from that lack of independence which leads managers to abnegate their own judgment, to look upon that which is really a Code of conditions as if it were a peremptory rule of conduct, and to subordinate every other idea to the solitary one of extracting the highest possible grant consistent with the conditions laid down. On the whole this change was useful, and it opened up new possibilities for State education in the future; but in no way did it interfere with the main principle of payment by results; and it was perhaps well that the Revised Code, in its first years, had aimed exclusively at the testing of the bare elementary work on which the foundation of the whole had to be laid. Had anything else been attempted at first, it might have tended to push out of sight the real flaws in the existing system, and blind us to the dangers of encouraging pretentious and ambitious schemes of education.

But this change had another object, besides merely that of improving the Revised Code. After an interval of quiet experiment the question of reconstructing the whole educational system was again coming to the front This was an attempt to enlarge the existing

system, on the inadequacy of which all to whose opinion much weight attached were agreed. It was avowedly only partial, and it only attempted to bridge over the time until some larger measures were devised, as to the necessity of which all parties were practically at one, although they differed as to the terms. In 1867 the Duke of Marlborough, as Lord President in the Conservative administration, introduced a measure which was to establish a Secretaryship of State for the administration of the education grant, and was to impose a stringent conscience clause on all grant-earning schools. In the same year the late Mr. Bruce (afterwards Lord Aberdare) introduced a Bill, partly modelled on previous attempts, which had for its object to establish all over the country free and rate-supported schools. Neither measure was passed into law. But during the two or three years that followed, a short and sharp struggle went on as to the terms of the compromise upon which the new National System, now inevitable, should be constructed.

The Reports of these years show us what was the actual work accomplished, from the point of view of the Education Department. Partly owing to the more liberal scale of grants, partly also to the energy aroused by the discussions out of doors, the education vote rose again very rapidly. In 1869 there was accommodation in inspected schools for rather more than 2,000,000 children. In the decade from 1859 the accommodation had been very nearly doubled; and in itself this seemed no mean achievement. The average attendance at the schools, the numbers whose names were on the books, and the numbers of certificated teachers

had increased in about the same proportion. About 1,300,000 children were educated in State-aided schools; and of the £1,600,000 which their education annually cost, about one-third was defrayed by fees, about one-third by Government grant, and about one-third by voluntary subscriptions. The real motive power came from those who gave the voluntary subscriptions. They amounted in all to about 200,000 persons, upon whom the main burden of national education lay; and undoubtedly they had achieved much. But on the other hand they had left large gaps. If there were 1,300,000 children at State-aided schools, there were at least 1,000,000 in schools which received no grant, were not inspected, and against which there was a strong presumption that they were utterly inefficient. The inspected schools, even had they been filled to overflowing, could not hold all these children in addition to their own; but besides this there were not far from 2,000,000 more who ought to be, but were not, at school at all. In other words, the efforts of a handful out of the whole nation had accomplished the fairly efficient education of about one-third of our children, and had provided schools for about one-half; but the rest either went to inefficient schools, or to no school at all, and for them there was no room even had the power to compel their attendance existed. How to fill up this gap was the question to be decided by the contending parties.

Out of the discussions there arose two societies, which fairly expressed two different views, and which therefore deserve mention in any summary of our educational progress. The first of these was the

Education League, started at Birmingham in 1869, and carrying to further lengths some of the principles enunciated and pressed before by the Manchester Bill Committee. Its basis, shortly stated, was that of a compulsory system of school provision, by local authorities through means of local rates; the schools so provided to be at once free and unsectarian; and the principle of compulsory attendance to be enforced, so that the provision might not be rendered useless by the apathy of parents. In this programme the point which raised most opposition was the unsectarian teaching. It was chiefly to counteract this part of the League's objects that there was formed the Education Union, which urged a universal system based upon the old lines. Each of these opposing camps claimed that to their influence was due the legislation which soon followed; but to neither, perhaps, can any greater credit be ascribed than that of expressing distinctly the prevailing sense of the necessity of something being done without more delay. Of the two, the League acquired the greater prominence, as their principles were the most definite and the most pronounced. But in their desire for a logical system, which should set at defiance the prejudices, if we choose to call them so, imbibed by previous efforts in the cause of education, the members of the League were carried out of sympathy with the mass of English sentiment, and were landed in a concession which deprived their principles of meaning. The teaching, according to them, was to be unsectarian, but not secular; that is to say, when reduced to practice, there was to be permissive reading of the Bible without doctrinal exposition. It was, to

say the least of it, a weak-kneed compromise, as faulty as that which they afterwards denounced. To read the Bible as authoritative was necessarily an interference with the conscientious scruples of some; to read it without that explanation, which could not but be doctrinal, was equally an interference with the conscientious scruples of others. Of the political effects of the struggle which followed this is not the place to speak; but however much of educational enthusiasm lay at the root of their zealous enunciation of their views, there is room for doubt whether the cause they claimed to have at heart was really benefited by this accentuation of theoretical differences on a question which sought for a solution which, above all things, should be practical.

CHAPTER V

THE ACT OF 1870

THE history of the relations of the State to education had so far consisted of two parts. Under the administration of the Department there had, first of all, grown up a certain Concordat between the central authority which dispensed grants and the local agencies which initiated schools. The voluntary action of the latter, their connection with the religious bodies, their attitude to the parents, had come to run on certain lines which were fairly well fixed, and had undergone no serious alteration. Following upon this Concordat had come a further definition of the strictly educational conditions upon which grants were allotted, and as the experience of the Department ripened, these conditions were embodied in the Revised Code, the central principle of which was, that payment should be proportioned to educational results. This Code had, incidentally but inevitably, altered to some extent the position of the local managers. Their hands were no longer tied by conditions which made them share with the teachers their pecuniary responsibility. It was their business now to attain the best results they could by the best instruments in their power. Their teachers must hold

the Department's certificate; but, saving for this condition, the managers were free to make such terms as they could. The responsibility for efficiency rested with them; they alone, so far as the Department was concerned, felt the pecuniary loss which was caused by failure; and for the other elements which made up the real excellence of a school, but which could not be gauged by the mere pecuniary test, the State was content to trust to their conscience and to the force of public opinion.

Thus far the whole system has grown up by administrative machinery, without the direct intervention of the legislature. If we except a comparatively unimportant Act creating the office of Vice-President of the Committee of Council on Education, the Statute Book was absolutely ignorant of a system which had involved an expenditure, from public funds alone, of more than £10,000,000 sterling, which was regulating the education of about one-half of the children in the country, and which had introduced a new and strange element hitherto unknown to English life. No obligation, enforceable by law, rested upon a single school manager throughout the country to continue the work he had begun. There was nothing to render it impossible that these voluntary managers should by common consent strike work, and thus render the Education Department a piece of useless machinery, without the steam that was necessary to keep it in motion. More than this, even if the 200,000 subscribers who voluntarily discharged what was in truth a national duty, continued their voluntary work, there was no guarantee, save self-interest, that the parents should not combine

to withdraw their children from the schools, and thus render that work absolutely useless.

The eight years which had passed since the Revised Code was established had served to show the limits within which success was possible without some direct intervention of the legislation. Other needs which appeared more pressing, and other political questions which were more exciting, had delayed any action during these years; but recently there had been many attempts at a solution from both political parties. By common consent the time for a settlement was now come. Some guarantee must be taken that the whole edifice should not crumble to pieces; that for local *agencies* there should be substituted local *authorities;* and that the State should be supplied with some machinery whereby the gaps in the work might be supplied. It was in this position of opinion that Mr. Forster, as Vice-President, introduced his Education Bill in 1870. The solution which it proposed, and the subsequent modifications which it introduced, may best be seen through a summary of the discussions which took place during its passage into the Statute Book.

Mr. Forster based his argument for the necessity of such a Bill upon the fact, that while about 1,500,000 children were on the books of inspected schools, there were—setting aside the better class, who were presumably receiving education by more expensive methods—at least as many more who attended no school at all, or schools against which there was a strong presumption of inefficiency. Large as this deficiency was, it did not really represent all the truth; in some of the manu-

facturing towns the destitution was enormous, and only a minority obtained any education at all. But this part of the argument required little proof: by all except an insignificant number the need of some further educational supply was admitted, and the duty of meeting that need was recognised.

"Our object," said Mr. Forster, "is to complete the voluntary system, and to fill up gaps." This was the keynote of his proposals. They were modified to some extent; but the most vigorous opposition to the Bill arose from those who desired something very different from this merely supplementary action, and who clung to a theory all the more tenaciously from the fact that it was opposed both to the existing system and to the teachings of practical experience.

To carry out this supplementary action, the Bill proposed to divide the country into school districts, adopting the boundaries of the boroughs for towns, and of the civil parishes for the country. Each district was to be looked at by itself. If it was properly supplied with schools it was to be left alone. But in order that the supply should be considered suitable, it was not enough that the schools should be educationally efficient. They must be worked with what was called a conscience clause—that is to say, children must be free to come for secular instruction, although they were withdrawn from all religious teaching. This conscience clause had long been a stumbling-block to the managers of Church schools; but they now admitted the principle, and were compelled to submit to an even more stringent form of the conscience clause than that at first proposed. With this strictly enforced conscience clause, the State was to

withdraw from all recognition of religion, and to leave it to the charge of the managers alone.

If the school district were not adequately supplied with schools conforming to these rules, then a new agency was to step in. This was the School Board, or local authority. As at first proposed, its election was not to be directly representative. In towns it was to be elected by the Town Council; in the country by the Vestry. To these School Boards were to be entrusted very large powers. They were to have the power of levying rates; from these rates they were to be able either to assist voluntary schools or to establish schools of their own. With regard to the last class of schools, they were to have the same power as that possessed by voluntary managers for their own schools—they were to settle what form of religious instruction was to be followed. Like voluntary schools, the Board Schools were, of course, to be conducted with a conscience clause.

The funds at the disposal of the Boards were to come from three sources—the rate which they levied, the parliamentary grant which they earned, and the fees which they exacted. Education was not to be free; the report of the Commissioners had been too decidedly condemnatory of free education to allow the Government to present it as one feature of their scheme.

Lastly, where a School Board was established, they were to have powers of compelling attendance. They were to frame their own bye-laws, for the approval of the Department; and these bye-laws were to require attendance between the ages of five and twelve for all children who had not passed a qualifying Standard.

Such were the main features of the Government proposals. Now let us see the objections which were taken to them, and the modifications finally embodied in the Bill. Symptoms of opposition were started, even in the first discussion of the motion for leave to bring in the Bill. The representatives of the Education League, whose compact had at least given definiteness to their views, were displeased with the proposal of the Government to give a year of grace, during which the voluntary agencies were to have the opportunity of meeting any deficiency, and thus avoiding the necessity for a School Board. They did not approve of the conscience clause in the form in which it was proposed, nor did they consider it a satisfactory guarantee for the liberty of conscience. They were dissatisfied with the limited and permissive compulsion, which might, or might not, be adopted in each locality, and which seemed to them a timid concession to unnecessary fears. And lastly, they missed with regret the proposal that rate-supported schools should also be free—a proposal which had appeared in recent sessions in Bills backed by members from both sides of the House.

In the debate on the second reading these objections took a more definite shape; and, above all, the League had by that time given its representatives very stringent instructions with regard to the religious question in the rate-supported schools. They did not desire to see the settlement of the religious teaching left to the School Boards. In nine-tenths of the parishes in England it was evident that this would lead to the teaching of the formulas of the Church; but the ostensible, and more reasonable ground of opposition was that such a plan

would be to create the constant irritation of a religious dispute within each School Board. It became clear that this was to be the most hotly-fought position in the whole engagement, and it was only because the Government showed a disposition to make some concession that the opposition was not pressed to the length of a division at this stage.

It was at this stage of going into Committee that the Government announced what concessions it was prepared to make to the demands of the League. The conscience clause was to be made more binding by the addition of a requirement that the religious teaching should, by the time-table of the school, be confined to the beginning or the end of each school diet, so as to make the removal of children more easy. The discretion of School Boards was to be limited in regard to the religious teaching to be given in the rate-supported schools, so that while the teacher should be allowed to read and comment on the Bible, no formula or catechism, distinctive of a sect, should be permitted. Lastly, the voluntary schools, which were allowed to participate in the advantage of a more liberal scale of Imperial grants, were not to derive any benefit from the rates. The School Boards could found or maintain schools of their own, but they were not to be allowed to contribute to those founded and managed by voluntary bodies.

The struggle—whose course it is necessary to trace in these pages, only because it sums up the different views entertained throughout the country, and explains the bearings of the Act as finally shaped—now became a triangular one. On the one hand the Government, whose concessions had materially modified the Bill as

originally introduced, were opposed with most acrimony by a section of their own supporters. On the other hand, the representatives of the National Society, upon whom the burden and heat of the day had hitherto fallen, felt exasperated at these concessions. And lastly, the representatives of the League felt that the Bill, even as modified, was far from satisfying the views which they thought essential to give legislation any value whatever. This triangular duel became all the more complicated and difficult to follow from the indisputable fact that none of the combatants felt their position to be a strictly logical one, or even thought it would be wise or politic to carry their arguments to a strictly logical conclusion. The League were not prepared to advocate an entirely secular system, and yet they were hard put to it to distinguish clearly between a secular and an unsectarian system. The National Society disliked the exclusion of the Catechism, but they might not be unwilling to consent to banish formulas which might distinguish not the Church only, but also some one section in the Church. Lastly, it was easy, even while admitting the practical expediency of the Government compromise, to show that a religion without formulas had very little body or shape, and that it was impossible to expound the Bible without leaning perforce to the doctrines held by some sect or other in its interpretation.

To that principle, which was explained by Mr. Forster as meaning "the Bible with explanations, but no formulary," the Government stood firm during long and very bitter debates: and on that footing the religious question in Board Schools was finally settled. The Church party endeavoured, on the motion of Sir Stafford

Northcote, to restore the Bill in Committee to the shape in which it had been introduced in this respect.[1] The concession was easily shown to have little logical consistency. Mr. Disraeli pointed out that a religion without formularies was, in fact, a new religion, and that in leaving its exposition to the teachers we were creating a new sacerdotal class. Mr. Gladstone[2] and Mr. Forster both admitted that logically the view of the opposition was unassailable: but as a practical question they saw no solution possible which did not carry the concession as far as they proposed. It was on this not altogether satisfactory foundation that the so-called compromise of 1870 rested.

Other points beside the religious one were debated with much earnestness. The advocates of free education made another effort to carry their point, but without success. The principle of universal compulsion was proposed; but Mr. Forster refused to adopt it, although he defended the permissive compulsion of the Bill as only a temporary expedient, adopted partly as a concession to the fears entertained of what was avowedly a new experiment, and partly as necessary until the supply of schools was completed by the operation of the Act. On one other point the Government further modified their Bill. As introduced, it had provided

[1] The Bill had been recommitted in order to embody the concessions announced by Mr. Gladstone.

[2] Long afterwards Mr. Gladstone wrote (*Times*, 9th November 1894)—"I will not undertake to say what precise scheme as to religious instruction was in the contemplation of the Act of 1870. I have always thought, however, that the Act for Scotland which soon followed was more wisely framed." The latter Act gave entire freedom to School Boards.

for the election of School Boards by Town Councils and Vestries. Sir Charles Dilke endeavoured to change this by substituting election by the ratepayers. Many speakers who could not be suspected of reactionary views, either in politics or education, foresaw dangers in his proposal which subsequent experience has proved to be to a large extent unreal. Sir Charles Dilke was defeated by a small majority; but his proposal was subsequently adopted by the Government on report, and embodied in the Bill. The measure passed through the House of Lords without any material alteration; and finally became Law on the 9th of August 1870.

We have now to see what was the new state of things introduced by this Act as it had been modified in its passage through Parliament, and what was the machinery by which the State proposed to undertake for itself that which it had before entrusted to the casual operation of voluntary agencies. In the first place, the whole country was divided into school districts. Besides the ordinary divisions of municipal or parochial boundaries, there were certain modified forms of these school districts which could be applied at the discretion of the Education Department. Parishes might be united or divided, or one parish might be made to contribute to another instead of having a separate administration of its own; but for practical purposes we may consider the school district as the unit upon which the system worked, whether for the purposes of inquiry or of voluntary or compulsory supply. Each school district was to have a sufficiency of accommodation in Public Elementary Schools; that is to say, in schools which taught those elements of learning which it was acknow-

ledged to be the duty of the State to secure for all children, and schools in which certain primary conditions were fulfilled which entitled them to recognition as part of the national system. To be a Public School, it was necessary that a school should admit all children without exacting any condition of attendance at religious instruction or at religious worship.[1] Further, such a school must be open at all times to the visit of her Majesty's Inspectors, as the eyes and ears of the Department; and it must fulfil the conditions of that Code of Minutes which the Department was annually to submit for the approval of both Houses of Parliament.[2]

Such being the division of districts for the purposes of the Act, and such the requirements of the Act in respect of the equipments of these districts, the next step was to provide a machinery by which the supply might be obtained. The Education Department was required to call for returns of the state of educational provision from the local authority in each district.

[1] Under the Act an Elementary School was to be one in which the *ordinary* fee did not exceed ninepence a week. This to a certain extent represented the condition of the Revised Code, which required that aided Schools should be for children of the labouring class. But it was not so stringent as that condition, and the Code, before Free Education was introduced, distinctly stated that the rate of the ordinary fee was to be calculated over the whole attendance, so that small fees for some children might be balanced against large fees for others in the same school.

[2] It is sometimes forgotten that the annual Code stands on quite a different footing from the old Minutes of the Department which were in 1860, for purposes of convenience, drawn into the form of a Code, but which, in their isolated form, were never submitted for Parliamentary approval. The Code in its new shape has, to all intents and purposes, the force of an annually enacted Act of Parliament.

That local authority was, in the case of boroughs, the Town Council; elsewhere the overseers, or persons appointed by the Vestry for the purpose of making such a return. Having thus set the machinery in motion, the Department was to test the returns it received by an army of special officers appointed for the purpose, and named Inspectors of Returns. Upon them was to devolve the duty not only of verifying the details and dimensions of the school accommodation, but also of testing the educational efficiency of the schools which appeared in the returns. Their reports were classified and examined in the Education Department, which was then to publish the result and the decision of the Committee of Council upon each district. This decision might be challenged by any ten ratepayers, or by any smaller number of the ratepayers provided that they paid one-third of the rates, or by the managers of existing schools; and upon their challenge the Department was bound to grant a Public Inquiry for the purpose of testing their own deliverance. After that Inquiry was held, the Department was then to publish a notice declaring the amount of accommodation which had to be supplied before the School district could be considered to be in a satisfactory condition. Six months of grace were given during which voluntary agency was allowed to step in and complete the work; but if at the end of this period the supply was still incomplete, the Department was then to step in, and cause a School Board with rating powers to be formed, thus establishing the first legally constituted and compulsory authority for the carrying out of the Act. Such an authority in certain cases might appear at an earlier stage. In London the School

Board was a necessary result of the Act; and elsewhere the Department might establish a School Board at once, if convinced that there was no reasonable expectation that the voluntary managers would maintain their Schools, or if a requisition to that effect was forthcoming from the Town Council, or from a meeting of those who would, under the Act, be the electors of a School Board.

The School district was, at this stage, face to face with the election of the local authority, which was to be responsible for its educational provision. In boroughs the privilege of election fell to those on the burgess roll, in parishes to those who paid rates. Each elector had as many votes as there were members of the School Board—the number being regulated by the Department, between the minimum and maximum limits of five and thirteen; and he was at liberty to give all these votes to one candidate, or to distribute them amongst the candidates as he thought fit.[1] The School Boards thus elected, in accordance with regulations laid down by the Department, were to hold office for triennial periods.

The Department now stood in direct relation to a legally constituted local authority, upon whom lay the primary responsibility for providing a school supply not otherwise forthcoming. To this authority the requisition was now made; and it was their duty forthwith to supply it. To secure this a penalty was imposed upon them for failure, and powers were given them to allow

[1] This provision, which continues in the face of very considerable criticism, was devised in order to secure the representation of minorities, which it has perhaps too effectually preserved.

of the performance of their duty. If they failed, they became "in default;" and the Department was empowered to dissolve the Board, and to appoint others to act in their room. Even if their default did not amount to absolute refusal to comply with the requisition, but only to such hindrance to the work as prevented proper efficiency, the Department might still dissolve the Board and issue orders for a new election. But if the Board were prepared to perform their duty, they might do so by establishing and maintaining schools of their own, or by *accepting the management* of existing schools which might be transferred to them. If no other means were open to them, they might acquire sites for their schools compulsorily.[1]

The main requisite for their action was still wanting, a Revenue from which their expenditure might be defrayed. This brings us to the central principle of the Act, viz. the establishment of a school fund, which should consist of fees, of Parliamentary grant, of such other sums as might come to the School Board, and lastly, of that elastic element, from which all deficiences were to be met—a compulsory local rate. For this purpose the School Board were to issue their precept upon the rating authority, declaring the amount required, and calling upon that authority to raise a rate for the purpose. Should that authority fail to do so, the School Board was empowered to assume the duty for itself. Much of the expenditure of the School Boards must necessarily be incurred in the supply of buildings

[1] This compulsory process is carried out subject to the approval of the Department, and to the ultimate confirmation of Parliament by a confirming Act in each case.

of a more or less permanent character, the whole burden of which it would have been unjust to lay upon the ratepayers in one year; and to meet this, the Boards were entrusted with the power of raising money upon the security of the school fund, to be repaid by instalments. To render this more easy, the Department was empowered to recommend such advances to the Public Works Loan Commissioners, on the comparatively easy terms which these Commissioners were enabled to grant.

Provision was thus made for the creation of local authorities, for the requisition being served on them which should state the deficiency which it was their duty to supply, and for placing in their hands the instrument by which they were enabled to carry out this duty. But, beyond this, certain rules were laid down to which they were obliged to conform in the fulfilment of their functions; and certain powers were given to them over and above those of establishing and maintaining schools.

First of all, their schools were not only to be conducted subject to the usual conditions of public elementary schools; but, in accordance with the decision reached after so much keenness of debate, they were forbidden to use any catechism or distinctive religious formulary in these schools.[1] For the rest they might make such provision for religious education as they thought fit, always with the proviso of a time-table conscience clause.[2] With respect to fees, they were bound

[1] The clause by which this was enacted is known, from the name of its mover, as the Cowper-Temple Clause.

[2] That is, of a conscience clause which not only permitted the withdrawal of any child from religious instruction, but rendered it

to charge them on a scale approved by the Education Department; but in regard to this, they had some special and exceptional powers. Where poverty rendered a parent unable to pay the full fee demanded in ordinary cases, they were empowered, with the sanction of the Department, to remit the whole or part of the fee for certain periods. Where the general and exceptional poverty of a whole district called for it, they were empowered to establish free schools. Finally, a similar power was given to them in the case of denominational schools; and they were enabled in the case of parents for whom a similar plea of poverty was made, to pay school fees to the managers of a voluntary school selected by the parent.[1]

The functions of a School Board, so far as they related to the supply and management of schools, and the power of aiding parents to take advantage of such school supply as existed, might then be said to be complete. But there was another function, no less important, conferred upon them. This related to the new machinery for compulsion. School Boards were empowered, with the consent of the Education Department, to make bye-laws requiring children to attend school between the ages of five and thirteen, and stating the time during which they should attend, as well as the conditions of exemption. The experiment was a new one in England, and the partial operation given to it shows the misgiving with which it was regarded. School

necessary that such instruction should be given at the beginning or end of the secular instruction.

[1] This provision, which at the time was the subject of much discussion, was repealed in the Act of 1876, and the power was transferred from the School Board to the Guardians of the Poor.

Boards were not to be universal. In the absence of School Boards, no compulsion was possible. Even where a School Board existed, it was only enabled, not compelled, to adopt bye-laws; and even when it did adopt bye-laws, the standard of exemption might be fixed so low as to make them of little value. Finally, the measure of necessary compliance with those bye-laws continued to be an uncertain one, varying with the individual opinions of the magistrates.

Lastly, it is necessary to notice certain supplementary powers conferred on School Boards, rather to facilitate their work than as properly belonging to it. In order to secure the close and immediate attention which might be difficult for a School Board having jurisdiction over a wide area, they were enabled to delegate to a Committee of managers any of their powers save that of raising money. This was a provision of much value, in view of the supersession of a large body of local voluntary managers, attracted to the work by local interest or benevolence. It was foreseen, further, that the compulsory powers would bring School Boards face to face with a serious economical difficulty in the existence of a large class for whom education was impossible without something which should supply the want of parental care and support. School Boards would have to provide for the clothing and care of those wastrel children whom they forced into school. In order to do this, they were enabled to contribute to, or even to establish, an Industrial School.

Such were the leading features of the new machinery. The main purpose of the Act was to establish a fixed and statutory local authority where the casual efforts of

local benevolence and zeal had failed. As a consequence of this, the Parliamentary grant, and the Education Department as administering that grant, assumed a new position; and this the Act of Parliament recognised in laying down certain rules upon which grants were hereafter to be allowed. The Act recognised, and within certain limits encouraged, the extension of voluntary efforts so far as these might overtake the work. Building grants were offered to those who applied (as voluntary managers alone could apply) before 31st December 1870, provided that their applications were accompanied with a statement of the existing deficiency and the proposed means of meeting it. On the other hand, School Boards were favoured by the condition that local rates were allowed to meet that part of the grant which before had to be balanced by the amount of voluntary contributions. If the produce of a rate fixed at a fairly heavy scale, fell below a certain amount, a special and supplementary grant was offered to School Boards. Lastly, as a discouragement to vexatious competition with the rate-established and rate-supported schools, the Department was enabled to refuse the benefit of Parliamentary grant to voluntary schools established after the passing of the Act, if they were convinced that such schools were not necessary for the supply of the district. As a matter of fact, the Department have consulted School Boards as to the necessity of every new school, before crediting that school with grants; but the final discretion rests with the Department alone.

CHAPTER VI

PROGRESS UNDER THE ACT OF 1870; AND THE SUPPLEMENTARY ACTS OF 1876 AND 1880

THE next six years were very fully occupied with the organisation of the new local authorities, with ascertaining the exact amount of educational deficiency, and with making provision for its supply. These six years yielded a valuable harvest of experience, were it only for the proof they gave of the small practical moment of many of those points for which partisans had most eagerly contended, and of the great practical wisdom of that solution of the question which refused to ignore all voluntary agencies in accomplishing the work. A few zealots courted notoriety by resisting the payment of rates, of which an infinitesimal part was spent in giving religious instruction of a very restricted character, and of which a still more infinitesimal part was paid to the managers of voluntary schools. But, for the most part, the controversy was laid to rest after it had passed outside the walls of Parliament. The nation accepted the solution given by the Act in regard to religion, as, on the whole, one to which a fair trial should be given. Circumstances, it was felt, might so change as to render it necessary to resort to an arrangement more strictly

logical. But in these early years it cannot be said that any strong desire for a disturbance of the existing system showed itself throughout the country. With the exception of some slight improvements which were found necessary in the machinery, dealt with in two Acts of Parliament to be noticed hereafter,[1] the legislature was not asked to take any fresh action for six years.

In the Report for 1871-72 the Department gives the statistics of the educational work so far accomplished. Of a population of 22,000,000, it was calculated that there ought to be at least 3,000,000 in average attendance at the school, with accommodation for a maximum attendance of 4,000,000. Only little more than 2,000,000 of these, however, could be accommodated in existing schools under inspection; and the actual average attendance was little over 1,300,000. The inference, therefore, was that the accommodation in schools of proved efficiency should be doubled; and that the average attendance should be increased in an even greater proportion. Roughly speaking, then, this was the work which the central and local authorities, aided as far as might be by the voluntary managers, were called upon to undertake.

The statutory and the voluntary agencies advanced together to the accomplishment of that work. Within the year 1870, more than 3000 applications for building grants were lodged,[2] showing a readiness on the part of voluntary subscribers to contribute in the proportion of about four to one to whatever might be received from the State. The accomplishment of that

[1] The Acts of 1873 and 1874.

[2] These applications, it will be borne in mind, could only be received from voluntary managers, not from School Boards.

offer we shall see in the course of the years that follow, On the other hand, School Boards grew up more rapidly than might have been expected from the permissive character of the Bill. The first Annual Report of the Department, after the Act came into operation, showed that about 9,000,000 out of the whole 22,000,000 of population were already under School Boards; and bye-laws had already been submitted and approved for parishes and boroughs comprising 8,000,000 of these 9,000,000. Year by year an almost uniform rate of progression in each direction—of accommodation and attendance—was visible. Naturally the accommodation grew most quickly, as its progress was enforced over the whole country, while the means of enforcing attendance were only partial; but the attendance at least advanced more rapidly than the population of the country. In the next year the accommodation had advanced by more than 250,000; the attendance by 100,000; and the population under School Boards had increased to 10,000,000. In 1874 the accommodation and the attendance had advanced in about the same proportion as before; 500,000 had been added to the population under School Boards. The year 1875 saw much the same rate of increase as regards accommodation and attendance, and an even larger addition to the population under School Boards. Finally, in 1879, an estimate could be fairly made of the amount of work accomplished by means of the Act of 1870. The accommodation was now sufficient for about 3,500,000, of which more than 2,000,000 school places belonged to the Church of England, 600,000 to British and other nonconformist managers, 200,000 to

Roman Catholic managers, and more than 550,000 to School Boards. The accommodation had been nearly doubled between 1869 and 1876: more than 1,600,000 places had been added, and of these about two-thirds were due to voluntary agencies. These voluntary agencies had received grants in aid for about one-third of the schools they had built, the grants defraying about one-fifth of the cost of the aided schools. Towards these aided schools these voluntary subscribers had contributed nearly £1,300,000. The cost of the remaining two-thirds of their schools they had defrayed entirely out of their own pockets, without any aid from the State, and at an expense which it is impossible to estimate accurately, but which must certainly have raised the whole expenditure from voluntary subscriptions in these few years to something more than £3,000,000—an item of no little moment when the expediency of retaining or abolishing this element of voluntary effort is under discussion. The rest of the new schools—affording accommodation for considerably more than 500,000 children, had been defrayed by School Boards from the loans for which they had received sanction. These amounted to £7,700,000 and would, when fully expended, provide for 621,000 children.

So much for the work of these six years in providing schools. The activity was not less marked, nor the expenditure less liberal, in their maintenance. The whole cost of the maintenance of schools in 1876 was about £3,500,000. The voluntary contributions towards this annual income amounted in the same year to about £750,000, coming from 275,000 subscribers; the rates

so spent to £370,000; while the annual grant had risen in these years from £900,000 to more than £1,500,000.

By this time 13,000,000 of the population were under School Boards; and 11,250,000 under the operation of bye-laws submitted by these Boards and approved by the Department. In one point only was there evidence of laxity: the attendance still fell short of what it ought to be. It scarcely exceeded 2,000,000—that is to say, at least one-third less than the estimate formed in 1870. It was to remedy this defect that an important provision in the next legislative effort was directed.

The interval had seen the passing of only two small Acts, of little importance in any summary of educational progress. These were the Acts of 1873 and 1874. They were little more than amending enactments, improving the machinery, and rectifying certain slips of drafting, and certain omissions, inevitable in a first experiment, and detected only by the experience gained in administering the original Act. Perhaps only one important addition to the existing powers of School Boards was created, in the privilege now conferred on them of calling for returns from voluntary schools.[1] But this only recognised more fully a right necessarily to be inferred from the duties and responsibilities placed upon School Boards. It was a right which the original Act would certainly have conferred expressly had it been anticipated that it would be disputed.

In 1876 Lord Sandon, as Vice-President of the Committee on Education, introduced the Bill which marks the contribution of the Conservative party to the

[1] By Section 22 of the Act of 1873.

national system of education. The additions which it made to the law of the subject, after it had become a part of the Statute Book, may be classified under three heads. In the first place, it stated clearly the duty of the parent in regard to the education of his child; it placed new restrictions on employment which might interfere with education. Secondly, it added a new sort of local authority, which might, in cases where School Boards were not in existence, discharge those of their duties which related to enforcing attendance. Thirdly, it armed all local authorities with more efficacious powers for enforcing that attendance in the case of neglect, and for encouraging and facilitating regularity amongst those who were more attentive to their duties.

I. It stated clearly the duty of the parent in regard to the education of his child, and placed new restrictions on juvenile employment. From beginning to end of the Act of 1870 there was an *implied* duty on the part of the parent, and, where a School Board existed, the failure to discharge that duty might be punished under the bye-laws. But the Act had nowhere stated what that duty was, and the omission was practically important, as it gave uncertainty to magisterial decisions. The Act of 1876 (sec. 4) stated distinctly that the parent should be bound to cause his child to receive efficient elementary instruction in reading, writing, and arithmetic, under the penalties created by the Act. In addition to this, bye-laws, as proposed by Boards, had been partial in their operation and varied in their requirements. The Act of 1876 created a minimum requirement, below which no bye-laws could now fall.

The broad provision of the Act (setting aside certain exceptional allowances[1]) was that no child at all should be employed under the age of ten, and that no child between the ages of ten and fourteen should be employed without a certificate of proficiency, or of previous due attendance at school.

II. As regards the new Local Authority which might act in the absence of a School Board. Under the Act of 1870, as we have seen, a School Board could be established only if a deficiency in school accommodation were not supplied by voluntary effort, or where, even without such deficiency, the vote of those who would be electors went in favour of a School Board. As a result of this, School Boards might never come into existence in just those places where the educational supply was most complete; and, as a consequence, ample school premises might stand only partially filled for want of a compulsory power; even where School Boards existed, bye-laws might not be adopted; and as a fact only 11,500,000 of the population, or about one half of the whole, were now under the operation of bye-laws; in the case of the other half, regularity of attendance was obtained only in proportion to the exertions of the voluntary managers, or to the unselfishness of parents, neither of them being agencies of the most direct and uniform operation. The Act of

[1] The Factory Acts contained certain provisions which were left untouched. These Acts were subsequently, in 1878, consolidated into one Act. But its provisions relate principally to employment, and only indirectly to education, and it does not, therefore, properly come within the purview of this treatise. Where it conflicted with the provision of the Education Acts, it was brought into conformity with them by subsequent legislation, to be noticed hereafter.

1876 accordingly provided that where no School Board existed, a School Attendance Committee should exercise the same powers as regards enforcing school attendance. If it were in a borough, the School Attendance Committee was to be appointed by the Town Council; if it were in a parish, the Committee was to be appointed by the Guardians of the Union in which that parish was comprised. The case of an Urban Sanitary District is treated specially. If such district is co-extensive with a parish and not subject to a School Board, it may, if the population is not less than 5000, be empowered by the Education Department to appoint a School Attendance Committee of its own. So also an Urban Sanitary District of less population, and not wholly within the district of a School Board, may—with the authority of the Department—appoint a certain number of members to sit on the School Attendance Committee for the Union.

These School Attendance Committees had certain of the powers belonging to the School Board. They enforced the compulsory clauses; they could appoint local committees; they could report infringements of the conscience clause in public elementary schools. On a requisition of the ratepayers of a parish in the Union, but only on such a requisition, they could also make bye-laws for that parish.[1] But they had no power to establish, to maintain, or to be the managers of schools. In so far the Act was an encouragement to voluntary

[1] It must be noticed that, although the adoption of bye-laws by School Attendance Committees was thus rendered uncertain, the absence of bye-laws was so far compensated by the stringent provisions of the Act, which introduced in themselves a form of compulsion.

effort, as it left voluntary managers free from the competition which they would have met with from School Boards, while guaranteeing to them that regularity of attendance, on which, in the absence of some local authority, they had no power to insist.

III. The powers at the disposal of all local authorities for the enforcement of the compulsory clauses were greatly increased, and were not only made applicable to children up to the age of fourteen, instead of thirteen, but were made more definite in operation. Hitherto it had been very difficult, even when bye-laws were in force, to say what constituted irregular attendance, or what amounted to an infringement of these bye-laws. But now a School Board, or an Attendance Committee, instead of asking for the infliction of a penalty, might ask for the issue of an Attendance Order. Such an Order states the school at which the child is to attend (which must be a school open to inspection and certified to be efficient), and the number of times at which the child is to be present. Its terms are so explicit as to admit of no doubt or misconstruction, and its infringement must therefore be followed by an immediate and certain penalty.

The creation of this new machinery was the most important part of the Act, so far as it rendered compulsion more easy. But further aids were given to the local authorities to this end. Additional restrictions were placed upon the employment of children. Parents in receipt of outdoor relief were to be deprived of that relief if they neglected to provide education for their children, while at the same time they might obtain from the Guardians an additional sum in order to defray

the expense of that education. The provision of the Act of 1870,[1] which enabled School Boards to pay the fees of parents who, though not paupers, were unable to pay their children's fees, was repealed; and in its place was enacted the more extensive provision that parents so situated might apply to the Guardians of the Poor and receive the fees from them, without being considered to be in receipt of outdoor relief, and without thereby losing any of their rights as citizens. Another of the great difficulties in the way of School Boards had been that of providing for the sustenance and care of a child even when his attendance at a school was secured. There might be serious objections to a Board contributing to, or maintaining, an ordinary industrial school, as they were empowered by the Act of 1870 to do. The difficulty was lessened by the new provision which enabled a School Board to contribute to a Day Industrial School—that is to say, to a school where the child could receive certain meals every day, and could be under a certain tutelary care, without ceasing to lodge at home. As a special encouragement to regular attendance, the fees of children who could show a certain fixed number of attendances, and a certain fixed standard of proficiency before the age of eleven, were to be paid by the Education Department from the Parliamentary grant.[2]

Such were the provisions of the new Act, in respect of the duties now laid on parents, in respect of the establishment of new local authorities, and in respect

[1] Sec. 25.

[2] This was a temporary provision, and its operation was not so encouraging as to lead to its renewal.

of the additional facilities for enforcing attendance at school. Some miscellaneous provisions are, however, to be noticed. The expenses of School Attendance Committees were not to be defrayed from an educational rate, but from the Town Council fund or the poor-rate, as the case might be. As new local authorities were called into operation in certain cases, so in others School Boards might now be dissolved. If the electors decided, as in the case of a requisition for a Board (but in this case by a majority of two-thirds) to apply for its dissolution, they might do so; provided that the dissolution should not be permitted save where the school provision for the district was complete, and no school was under the management of the Board. The Act contained also certain provisions which promised a more liberal scale of grants, and some special assistance to schools which supplied the wants of outlying and thinly populated districts.

The four years that followed the passing of this Act of 1876 showed a considerable development of the system. The average attendance rose in that period by about 500,000 — from rather more than 2,000,000 to rather more than 2,500,000. The accommodation provided by all local agencies, voluntary and statutory, increased in about the same proportion till it reached, in 1880, the total of 4,250,000 of school places. The grant rose still more rapidly, so that from £1,543,225 in 1877, it had reached the total of £2,130,009 in 1880. School Attendance Committees came rapidly into being, and a fair proportion of these Committees submitted bye-laws, on the requisition of the ratepayers. In the first year after the passing of the Act, School Attendance

appointed for a population of 9,717,000, had been applied to nearly a fifth part of that population. Under the impulse School Boards also extended their area; and the bye-laws, which represented the most active form of compulsion, were rapidly extended under the double agencies of School Boards and School Attendance Committees. When, on the 26th of August 1880, another addition was made to the English statute law on education, the population under bye-laws amounted to 16,652,596 out of a total of about 26,000,000. The Act of 1876 had added 5,500,000 to the 11,000,000 who were before under the operation of bye-laws. It had done much; but compulsory attendance, under strictly defined rules, had still to be made the universal law for the country; and this could only be accomplished by making bye-laws operative in every school district, whatever its local authority might be. To do this was the object of the short but comprehensive Act passed by Mr. Mundella in 1880. That Act made the framing of bye-laws, which had before been optional in the case of School Boards, an imperative duty for every Board which had not already framed them; and, in the case of School Attendance Committees, not only was the necessity for the previous requisition of the ratepayers done away with, but it became the duty of these Committees—and not merely a matter of choice—that they should frame bye-laws forthwith. The Act does more than this. Already, by the Act of 1876, children under ten were debarred from employment at all, and children between ten and thirteen could be employed only on reaching a prescribed standard of education or attendance. But the Factory and Workshop

Act of 1878 might still be held to pe. employment in factories without any reference to bye-laws, and without, therefore, requiring any educational standard at all. The Act of 1880 appears clearly to point to the bye-laws overruling the Factory Act;[1] and this introduces, as a condition even of half-time employment, the educational standard which the bye-laws for the district may fix. There still remained the blot of variety between the bye-laws of different districts; but to some extent such variety may be unavoidable, considering the fundamental differences between the circumstances of different districts. Otherwise, however, the system was now fairly uniform, and fairly complete. Compulsion, in one form or another, prevailed all over the country; some statutory local authority existed for each district; a universal barrier was fixed against the employment of children under ten—that is to say, at an age when such employment would be as cruel physically as it would be intellectually. For all children between ten and fourteen at least some educational standard, be it a high or a low one, was an imperative condition of employment. Even the certificate of previous due attendance, which made a fixed number of attendances for a certain number of years operate without any educational standard—the "dunce's certificate," as it was sometimes called—could no longer be pleaded as a ground of exemption, save for children between thirteen

[1] Inasmuch as it makes a special and temporary exception in the case of children who were actually employed under the Factory Act at the date of the passing of the Act of 1880, and consequently leads to the inference that the case of children not employed at that date is ruled by the bye-law.

and fourteen. Only at the age of fourteen was the child unconditionally free.

Such are the successive legislative steps by which our educational system had advanced up to 1880. It remains to consider what had been the results of these enactments in actual practice.

At the time when the Education Commission reported in 1861, the number of children in the books of inspected schools had been under 1,000,000,[1] and the number of schools so inspected was less than 7000;[2] the average attendance had been smaller still; and at that date, when the Revised Code was not yet in operation, the managers had very little object in securing very regular attendance. Even the nominal return of scholars whose names were on the books may have been delusive, because it was the object of the managers rather to show that the number was large enough to justify an increased staff of pupil-teachers, the expense of which, under the old Code, was borne by the State. The Revised Code, along with the increased activity which began to prevail throughout the country, had the effect of very considerably swelling the average attendance. In 1867 the average attendance in all inspected schools had advanced to about 1,147,000,[3] and the number of schools inspected to 14,600. At length, in 1870, on the eve of the Education Act, the average attendance had advanced to about 1,152,000, and it was calculated that about 1,500,000 children were receiving fairly efficient education. That education was provided

[1] 917,255. [2] 6897.

[3] Including Scotland, then administered by the same Department as England.

by casual agencies; it was not supplied to the poorest districts; and no local authority existed which could fill up a deficiency in the lack of private benevolence. All these were defects in its method and distribution; but, even setting these aside, the number who went to efficient schools was not more than one-half of the 3,000,000 who ought to have been in ordinary attendance; and, if all the children had been forced to school, there would not have been room for more than half of the 4,000,000 for whom places might be wanted.[1] Parliament had scarcely any other course open to it than to introduce compulsion by tentative and partial measures. Schools could not be built in a day; and to force children to come to the school door only to be turned away because there was no room for them would have been to break down the compulsory system perhaps irreparably, at the very outset. But in 1882 compulsion was operative throughout the whole country, through the agency of 2129 School Boards, for about 16,000,000 of the population, and for the rest through School Attendance Committees. The average attendance had risen to more than 3,000,000.[2] The accommodation was sufficient for more than 4,500,000.

In the next chapter we have to see the phases through which our National Education has passed, and the administrative changes which have occurred, between 1882 and the present day.

[1] It is obvious that the accommodation must be sufficient for more than the average attendance if the school is not to be overcrowded on certain days.

[2] 3,015,151.

CHAPTER VII

NATIONAL EDUCATION FROM 1882 TO 1896

We have so far followed the outline of English education from its first beginnings, when it was dependent entirely upon the efforts of individual charity or enlightenment. We have seen how, at a later day, it was forced upon public attention by large associations and societies, and how these succeeded in commanding the attention of the Government and the legislature. We have seen how the first movements towards a national system were partial and tentative only, and how these were followed by legislative action in 1870. We have examined the structure of the edifice raised by that and the supplementary statutes, which laid down the lines on which the work was to be carried on, and which defined the duty of the nation in providing, and the duty of the parent in availing himself of, the means of education. The system founded by the act of 1870, and completed by the acts of 1876 and 1880, has now existed for a quarter of a century without fundamental change. The legislation of a strictly educational character since 1880 has not been of much importance, and may be very shortly summarised. In 1889 an Act was passed which gave to local authorities power to rate for technical

education, and power either to supply or to contribute to technical schools. In 1890 another Act followed, which assigned to localities the produce of certain duties, and part of these might be employed by local authorities in support of technical education. In 1893 an Act was passed to provide for the education of the blind and deaf, and in the same year the age for possible exemption from the obligation to attend school was raised from ten to eleven. These were natural developments of the range of educational effort and of the enforcement of parental duty, but they involved no change of system, and are typical only of those gradual advances which might be expected in the work of which the broad foundation was laid in 1870.

But during these fourteen years, if there is not much to record in the way of educational legislation, there are many other points of interest which present themselves. As the system was tested by experience, certain grave questions of administration and of educational economics emerged. The relative responsibility of the various agents in the work had to be considered. The justice, as well as the practical expediency, of the religious compromise which had been reached in 1870, had to be tested. The limits of imperial interference and the responsibility to be thrown upon local managers had to be adjusted. It may surprise the reader that, amongst the items of educational legislation just enumerated, the Act of 1891 has not been named, although it introduced the enormous financial change by which the parent was relieved of the payment of a fee. But in truth this is not a matter of educational legislation at all. It is an economic question as to the amount of the State contribution;

and its influence upon the question of education, properly so called, is at the most indirect and problematical. It was indeed a matter of financial administration, and it is quite conceivable that it might have been carried out in England, as it was in Scotland, by administrative action only, and without finding any place in the Statute Book except in the words which assigned to the Education Department a certain additional sum of money for the purpose. It is to this financial change, then, as well as to the other questions of practical administration that emerged, that we have to give our attention in the history of these last fourteen years.

The first of these was the proper line of demarcation between State control and local responsibility. With the Act of 1870 the principles of the Revised Code had been reimposed in their full force. A vast number of new and untried agencies had been created, and it was felt to be no fitting time for lessening the guarantee of efficiency. The burden to be thrown upon the State was immensely increased, and security had to be taken that the increase would be accompanied by corresponding improvement in results. It was probably a matter of satisfaction even to the local managers themselves, upon whom a heavy burden of responsibility was laid, that they should have an independent and sure test by which the thoroughness of the work should be appraised. Parents were for the first time forced to send their children to school, and they, too, had a right to demand that compulsion should be accompanied by a certain test, applied by an independent authority, that no individual child should be overlooked or disregarded.

But as time went on, there was more and more com

plaint of the complexity of the Department's requirements, of the minuteness of its introspection, and of the hard and fast rule by which its grants were allocated. It became more and more evident that the complaint proceeded, not alone from inefficient teachers, who dreaded the test, but from more zealous teachers, who felt that it crippled their freedom and their energy. Even those who recognised in the Revised Code an admirable means of detecting specious inefficiency, felt that it had to a large extent done its work, and that greater freedom might be allowed. The first attempt to meet these criticisms was made in 1882, and it cannot be said to have been a very successful one. Changes were then introduced into the Code which were much greater in appearance than in reality. Instead of the former payments in respect of individual children, the payments were now to be made on average attendance. The grants also were classified on what seemed to be a more scientific principle. There was to be a certain "fixed" grant, a certain graduated "merit" grant, and certain "class" grants. But the payments on passes were to be made on a plan which still rendered individual examination necessary. The highest grant was to be 100 pence (8s. 4d. a head), and from this, paid over the average attendance, one penny was to be deducted for every unit of failure in the hundred. The system was a complicated and artificial one. It failed to conciliate the objectors, and yet it failed to secure that certainty of individual attention which was the merit of the Revised Code. A certain percentage of laggards was to be reckoned on, and the motive was now much smaller to give special attention to these laggards which formerly

enabled each to do something to swell the pecuniary resources of the school.

It was only in 1890 that the system upon which grants were calculated was completely changed. In that year, the Code made the payments depend altogether (except in regard to comparatively insignificant grants for specific subjects) on the average attendance; and efficiency might be tested upon a sample examination. The inspector, upon this examination, gave his verdict as to the efficiency of the school, and a grant was then made on the average attendance, according to a graduated scale. At the same time, the fixed grant was made much larger, and the graduated scale of grant for efficiency affected only a comparatively small portion of the whole. This system is inevitably open to the complaint of capricious judgment on the part of the inspector, which there was no certain means either of confirming or disproving. The greatest tact became necessary in order to guard against any tendency to form a judgment upon an inadequate impression. But there is no reason to think that a well-defined standard of gradually improving efficiency might not be established, so that an efficient school might reckon upon a good verdict, while an inefficient one would be sternly warned to amend its ways. The danger was really not so much that the verdict of inspectors should be capricious, as that they should tend to become stereotyped; that efficiency should be supposed to be secure, and that the irksome task of invidious criticism should be shirked. As was to be expected, the amount of grant has tended more and more to become fixed, and the cases of refusal have become more rare; and recently

the Department has to a large extent dispensed with annual examination, and substituted an occasional visit without notice. Whether this is an advantage is a matter upon which grave difference of opinion exists, and school managers would certainly not be unanimous in holding that the annual visit of inspection is hurtful to a school. Doubts are, to say the least of it, justified; and it is far from certain that the efficiency which was brought about by that means is so surely established that it will maintain itself when the guarantee is removed. This at least may safely be said, that there is no means by which local independence can be combined with the efficient control of a central authority which gradually extends its grants, other than the basing of that grant upon efficiency as judged by an annual test. Without this, we may attempt to attain efficiency by the constant exercise of controlling and advising powers which makes the central authority share in the management of the School; but this is done at the expense of the independence of local managers. Or we may dispense even with that controlling power, and increase the responsibility of the managers. But all sound financial theory will confirm the conclusion, that this must be accompanied by a definite limitation of the grants. The opponents of payments by results, tested by a central authority, must reckon with this.

The next question is that of the relation between local effort and Imperial grants. The Act of 1870, following the principle of the Revised Code, required that the Imperial grant should not exceed the income of the School from other sources. This rule prevailed

until the Act of 1876, which permitted the grant to reach 17s. 6d. a head without any condition as to other income, but required that any grant which exceeded such amount should be met by a corresponding amount from other sources. This was based upon the view that 35s. a child was a fair estimate of the total expense; and the State was prepared to pay one-half of this, leaving it to the locality either to meet the rest, or to reduce its burden by careful economy. If the locality claimed more, then it might be fairly asked to add to its own expenditure; otherwise there was a danger that the School might be worked rather with a view to profit than to real educational efficiency. The payment made by the parent in the shape of fees was reckoned as "other sources;" and it was, therefore, only just that when the State took upon itself this burden, by paying fee-grant, the amount so paid should be reckoned under the same category, and should count as "other sources" to meet the Parliamentary grant. On this footing a fair balance was maintained between the State and the locality. Due economy does not require adventitious encouragement; but the demand of an adequate local contribution seemed necessary in order to prevent a school being starved so far as local contributions were concerned, and conducted mainly with a view to earning the largest amount of grant.

On the other hand, it has been argued, that if a school by efficiency earned a grant in excess of 17s. 6d. a head, it was unfair to deprive it of its earnings because its local contributions did not exceed that sum. The fee grant is 10s.; and therefore local contributions might reach the respectable amount of 7s. 6d. a head,

and yet fail to earn a grant higher than 17s. 6d. however efficient. This was held to be more especially hard in the case of Voluntary Schools, which had to depend upon voluntary contributions in place of rates, and which had provided themselves with buildings (not reckoned in the local income) at their own expense. The rates were not only a more sure and more abundant source of income, but, inasmuch as they were paid by the same persons who subscribed to the Voluntary Schools, they inevitably tended to restrict their contributions, and thus placed the Voluntary Schools in a more unfavourable position.

These arguments are specious enough; but it may be doubted whether they suffice to overturn an arrangement which has clearly much to commend it. It might be maintained that the pressure of the limit might be relieved, without abandoning this useful encouragement to local effort, by giving credit to schools for the buildings which are provided by voluntary effort, and by so helping them to fulfil the conditions which the Act of 1876 requires. And if such schools show a fair claim to some special assistance from the Imperial Exchequer, in consideration of the circumstances under which they are conducted, and on the ground that they do not share in the rates, then the special assistance might equally be reckoned as "other sources" to meet the Parliamentary grant. But one thing is perfectly clear; if the limit to 17s. 6d. a head is abolished, and no conditions as to local contributions are imposed, then the Parliamentary grant must have a definite limit imposed upon it. No Chancellor of the Exchequer could reasonably be expected to allow the grant to be perpetually elastic, unless the

elasticity were accompanied by this balancing condition.

We have seen the nature of the compromise which was arranged in regard to the religious teaching in the Act of 1870. That compromise was avowedly illogical. It allowed School Boards to teach religion, but it was to be a religion without *formulæ*. Such *formulæ*, however, form a necessary part of doctrinal religion, and probably most men would be found to agree that a religion without doctrine does not amount to very much. There is, no doubt, a minority who think otherwise, but, if so, they hold distinctive opinions, and are consequently strictly speaking a sect. Logically, therefore, one sect was favoured by the compromise of 1870 at the expense of others; and as a matter of strict argument, the compromise, as embodied in the Cowper-Temple clause, is not defensible. Practically, however, there is a general agreement that it worked fairly well. The religious teaching in Board Schools has received praise from the leaders of the Church. In the words of the present Vice-President of the Council "the religious difficulty is no difficulty at all in the schools. It is never heard of there. It is a difficulty which flourishes in Parliament and on the platform." But however good the religious instruction given in Board Schools may be, it would certainly not be acceptable to a large number of the population; and the practical working of the compromise of 1870 has been secured by the fact that existing agencies are still recognised, and that Voluntary Schools, unrestricted by anything like the Cowper-Temple clause, have continued. Were their position secured, we might have heard no more of the religious difficulty; but that

difficulty has again emerged owing to the strain on Voluntary Schools, which is said to endanger their existence. The pressure of this strain has become more and more acute during the fourteen years now under consideration. How this has arisen can easily be shown in outline.

In 1882 the average attendance in Voluntary Schools was about 2,000,000, as compared with 1,000,000 in Board Schools. The voluntary contributions in the first class of schools were about £720,000 against £800,000 which Board Schools drew from rates. But while the rates have increased in 1895 to £1,942,000, the voluntary contributions have increased only to £834,000; and it is obvious that the pressure of rates, which are to a large extent paid by the same people who make voluntary contributions, is necessarily and largely the cause of this comparatively slow expansion of the voluntary contributions. This large expenditure from rates has further enabled the Board Schools to earn a larger Parliamentary grant; and their total income exceeds £2 : 10s. a head against rather less than £1 : 19s. in Voluntary Schools. The result has been that the Voluntary Schools have been fighting against heavy odds and against the increasing competition on the part of more lavishly supported Board Schools; and their attendance is now only about 2,500,000 as against 1,950,000 in the Board Schools. It would be out of place here to discuss the justice or general expediency of this result; it is sufficient only to point out the facts.

But these facts have other bearings. It is obvious that the so-called compromise of 1870 can subsist only so long as the existence of Voluntary Schools gives an

opportunity to those who cannot conscientiously make use of the Board Schools, to resort to schools where the instruction given is in accordance with their own conscientious views. If the supply of Voluntary Schools ceases to be sufficient, they will be forced to resort to the Board Schools, and it is certain that the non-doctrinal religion which alone can be taught in these Board Schools would be to them just as obnoxious as—nay, even more obnoxious than—instruction from which all religion was banished. Such schools might be quite satisfactory for the million children who attended them in 1882; they may be equally satisfactory to the two million who now attend them. What further proportion of the nation may be prepared to accept them as satisfactory must remain a moot point, on which opinion will vary according to our sympathies, although the supporters of Voluntary Schools may reasonably infer from the attendance at Voluntary Schools that a majority of the parents prefer such schools. However this may be, it is quite certain that there must remain a portion of the nation who could not conscientiously make use of these schools; and when they find themselves face to face with the threatened extinction of the schools to which they must look as the only satisfactory alternative, it is only to be expected that they should complain, and should ask either for a revision of the compromise of 1870, or for such additional help as may enable them to maintain schools suitable to their own needs.

There is, however, another aspect of the matter. The Voluntary Schools now provide for about four-sevenths of all the children taught in Elementary Schools. They have been provided almost entirely at the cost of

the subscribers, and the expenses of maintenance, beyond the Imperial grants, are also borne by the subscribers. If they cease to exist, the whole of this accommodation must be provided at the public cost; and at the present rate in Board Schools, an annual expenditure (over and above Imperial grants) of nearly £1 a head must be met also at public cost. This means that an initial charge of about £25,000,000, and an annual charge of £2,500,000 would be thrown upon the rates, even if we allow nothing for the prospective increase in attendance at Voluntary Schools, which would otherwise have to be provided for entirely from the rates. It is clear, then, that apart from any question of meeting conscientious religious scruples, the threatened extinction of voluntary schools has a very substantial bearing upon the financial interests of the ratepayer.

Such are the simple outlines of the difficulty which has emerged out of the course which affairs have taken during these fourteen years. It is sufficient here to state the facts without attempting to discuss opposite opinions. The solution of the difficulty is now engaging the attention of Parliament and of the nation.

At the beginning of this chapter, another change, of an economic rather than an educational kind, was referred to; and it is necessary, for a full understanding of the developments of recent years, to explain it rather more fully here. This is the introduction of what is called "Free" Education; or in other words the relief of the parent from the obligation to pay fees. This makes no change, so far as education itself is concerned. It does not add to school accommodation, or increase the legal obligation to attend school. It gives no wider

range to what is taught, nor does it devote to education any larger revenue. It simply replaces one source of income by another, and makes it easier for the parent to perform his legal duty, and perhaps more easy for the State to enforce the performance of that duty. The change is really a social and an economic one. In a certain sense every penny of grant which has ever been paid in aid of a school is a relief of fees, inasmuch as it enabled the parent to obtain education for his child at less than cost price. It is no doubt convenient to call this special grant a "Fee Grant," and to treat it as representing the contribution formerly demanded from the parent. But it is not strictly accurate or logical to do so, and as time goes on the fee grant will inevitably lose this distinctive character. In reality it is simply such increase of the grants previously made, as justifies the State in demanding that the parent, who, by virtue of the previous grant, was protected against any fee exceeding 9d. a week, shall now be protected against any fee whatever. The change made by this new condition was one of degree much more than of principle.

The steps by which this was brought about may be shortly stated. When the Local Government Bill for Scotland was before Parliament in 1889, it was necessary to deal with the revenue arising from certain Probate and Licence Duties, assigned to what was to be called the Local Taxation (Scotland) Account. In response to an almost unanimous expression of opinion by Scottish members, the Government of the day assigned a large part of that revenue "towards relief from payment of school fees." The amount was distributed under the

Scotch Code, by means of a capitation grant, upon certain conditions (from time to time modified) which were laid down by the Scotch Education Department. The result of this was, that at the close of 1889 fees were to a large extent relieved out of a fund which belonged exclusively to Scotland, and which might otherwise have been applied in relief of rates. But Free Education once begun could evidently not stop here, and the precedent of Scotland could hardly fail to be followed by a similar demand for England. The corresponding sum which fell to England from the Probate and Licence Duties had already been allocated, and was therefore not available for the purpose; but in 1891, a fortunate surplus enabled the funds to be provided from the Imperial Exchequer. The scheme was introduced by the Elementary Education Act of that year, which established a Fee Grant of 10s. a head on the average attendance of all children between three and fifteen, to be paid on the condition that no fee whatever should be demanded where the fee had not before 1891 exceeded an average of 10s. a head. Where fees had been in excess of this, a fee might be continued to the amount of the excess; and in other cases, on account of special circumstances, fees might be sanctioned by the Department, at a rate not exceeding 6d. a week. So largely has this dispensing power been used, that there are still 780,000 registered scholars, or about one-seventh of the whole, who pay fees;[1] and the amount so received is £269,000, or about one-eighth of the total Fee Grant.

[1] This presents a striking contrast to the case of Scotland, where only 20,000 scholars—less than 3 per cent of the whole—continue to pay fees.

Such are the salient features in the history of the last fourteen years, which are occupied with working out the system and with adjusting the machinery, rather than with legislation of a purely educational kind. Now that changes of a very sweeping kind are under the consideration of Parliament, it may be useful, in conclusion, to give a rough estimate of the whole expenditure upon education in the fifty-seven years from 1839, when the Education Committee of the Privy Council was formed, down to 1896. The calculation can only be a rough one; but it may safely be said not to err on the side of exaggerating the expenditure.

Total Expenditure from Parliamentary Vote, .	about	£90,000,000
Rates and Subscriptions to meet the Proportion of this, which was paid as Grants for Maintenance, ...	,,	67,000,000
Total Subscriptions to meet Building Grants, .	,,	6,300,000
Total Subscriptions for Building without Aid from Grants—		
(1) Before 1870, ...	,,	1,500,000
(2) Since 1870, ...	,,	7,000,000
Total Loans to School Boards for Building, .	,,	30,000,000
Total		£201,800,000

CHAPTER VIII

EDUCATION IN SCOTLAND

1. *Scotch Education down to* 1872

THE dealings of the State with education have in Scotland a much longer history than in England. National education in England is only twenty-six years old; it is nearly two centuries old in Scotland, and, even before the Statute of 1696 established a school in every Scottish parish, the education of the people had been the subject of decrees both in Council, in Parliament, and in the Assembly of the Church.

As in England, so also in Scotland, the earliest schools had been those in connection with religious houses. Even before the Reformation, however, other schools had sprung up side by side with these. In the principal towns there was a grammar or Latin school, and below these there were lower or lecture schools in which the elements were taught. We can even trace symptoms of something like compulsory attendance at school. A Statute of James IV. (1494) required all freeholders of substance to send their heirs to school and to keep them there until they had "perfect Latin" —that is to say until they had mastered the language which was then the only means of communication with

educated foreigners, and was the universal language of diplomacy.

But it was the Reformation that gave the most vigorous impulse to educational advance. The spoils of the Church were claimed for the establishment of schools, but these spoils were appropriated with even more greed by the Scottish than by the English nobility. The First Book of Policy (or Discipline), published by the Reformed Church in 1560, did indeed lay down a scheme under which the country should be provided with schools. Under that scheme "every several kirk" was to have a Latin school, if the town were "of any reputation;" and the "upaland" or country parts were to have a teacher of the "first rudiments" in every parish. Besides this, each "notable" town was to have "a college for logic, rhetoric, and the tongues." Special aid was to be given to the poor to enable them to send their children to school.

It is very doubtful how far this scheme was ever carried out. It was only an Act of the General Assembly of the Church. In practice the scheme was no doubt realised where the minister happened to be particularly active, or where the landholders were specially generous; but the want of resources must have made it often no more than an ideal, which it was left to individual energy to reduce to practice. The Church could not of her own authority impose an assessment for education, to supply the place of those funds which had been diverted from religious or charitable uses to the pockets of the nobles. In 1616, however, the Privy Council passed a decree which laid upon each parish the obligation of supporting a school and school-

master, and that decree was ratified by Parliament in 1633. Under this Statute the bishop had power, with the assent of the heritors (or freeholders of the district) to impose a "stent," or local assessment, for education. The disturbances of the time, however, prevented any general progress being made; and the same cause rendered useless a Statute passed under the Commonwealth and repealed after the Restoration. A period of fierce religious strife, in which each party was occupied alternately in meeting persecution and in reaping vengeance for that persecution, was not the most fit for the calm work of arranging a national system of education. It was only after the Revolution that an Act was passed, in the year 1696, which became the charter of Scotch education. Nothing could have been more effectually contrived for the pacification of the country after a long period of unrest.

It associated the Revolution Settlement and the Presbyterian Church with that which became the most powerful agent in advancing the prosperity of the country. The nation, with comparatively few resources, or opportunities for gathering wealth, disturbed by fierce political struggles, and by still wilder excesses of religious fanaticism, found in the parish schools at once the energy and the repose which her poverty and her exhaustion required. The Presbyterian Church inherited that right of superintendence and control which had been allotted to her predecessors; and in particular, a Statute of 1693 laid down the principle that the teachers of the young were responsible to the Presbyteries throughout the land.

Under the Act of 1696 there was imposed upon the

heritors of each parish the duty of providing a school-house and a salary for a teacher. Such a regulation would have been useless without a power of compulsion; and therefore, in case of their failure to perform this duty, the school might be provided, and the salary of the teacher paid, at the heritors' cost, by the Presbytery of the bounds.

From this Statute the National System took its start; and throughout the Lowlands it was faithfully carried out. In the Highlands, of course, it remained a dead letter, until the changes had taken place which were precipitated by the rebellion of 1745. But before the close of the eighteenth century it had become insufficient to meet the wants of the increased population, and of the more extensive parishes which by that time had come within the domain of law. In 1803 a new Act was passed extending upon the same lines the system established in 1696. The salary of the teacher, which was before limited to the very scanty sum of 200 merks,[1] was now to range between the still modest figures of 300 and 400 merks, with a free house and small garden and the school fees. The house and garden might in some cases be replaced by an equivalent in money; but as a rule they were provided, and were of no little importance in giving to the schoolmaster his position of humble but secure independence. The schoolmaster's house and plot of garden ground was a feature of each Scotch parish, along with the minister's manse and glebe; and, like the minister, the teacher was a freeholder. The parish school was, in short, an adjunct of the parish church. The teacher was examined and

[1] 100 merks was equal to £5 : 11 : 1⅓.

approved by the Presbytery. The minister was an elector along with the heritors. To him the general superintendence of the school was assigned. And, lastly, the teacher was required to subscribe the Confession of Faith, and the Formula of the Church of Scotland.

Where a parish was of unusual size, the heritors were required to provide and support, although on a smaller scale, a second school; and schools of this kind were called Side Schools.

It was not long before the provision made by the Statute of 1803 was found insufficient. The inquiry instituted by Brougham in 1818 (already referred to) extended to Scotland; and in the course of the investigation which the Church conducted at the request of the Commission, it appeared that lamentable deficiencies still existed in the Highlands and Islands. In 1824 these deficiencies were brought specially under the notice of the Church. The state of destitution was astounding. Only the most strenuous exertions could remove what was a blot upon the civilisation of the country. The Reformation, a boon to the rest of the country, had in these parts been a calamity. "It was remembered," wrote one who knew the Highlands well,[1] "only by circumstances unfavourable to improvement, by the suppression of churches, by the appropriation of the revenues of the Church to the nobles of the land, by the degradation of the clergy, who were left to languish in poverty, with the pastoral care of whole districts which formerly enjoyed the services of eminent clergymen. . . . Till a very late period, there was *no school in*

[1] Dr. Norman Macleod.

the Highlands, and in the few schools that were, English alone was taught." The same writer calculates that in Argyllshire alone there were 26,000 children out of 27,600 who were beyond the reach of the parish schools.

Brougham's Commission had given rise to disputes and jealousy in England. On the part of the Church in Scotland it led to strenuous efforts after improvement. The Education Committee of the Church was established, which strove to fill up the defects in the National System by private benevolence. To a great extent it curbed the evil which it had to struggle with; but, after all its efforts, it was obliged to avow that voluntary aid was insufficient, and that the help of larger resources must be brought to bear upon the solution of the difficulty.

When the system of inspection and grants in aid was introduced in 1839, it made new deficiencies apparent; and the Disruption of 1843 transferred the care of a considerable part of Scotch education to the hands of the Free Church. New legislation became necessary, both to make the supply adequate to an increased population, and to curtail the too exclusive privileges of the Church. This came in 1861. By the Act of that year the salary of the teacher was to range between £35 and £70, an additional assessment being imposed where it was necessary to have a side school, or the help of a female teacher. The examinations of the teachers were transferred from the Presbyteries to the Scottish Universities; and, in place of the Confession of Faith and the Formula, the teacher had only to sign a declaration which admitted any member of a Presbyterian Church. The minister still retained, in practice, a very prominent part in the

appointment of the teacher; his power of nominating him to certain parochial offices, often by custom conjoined with that of teacher, gave him a tolerably complete control; and the Presbyteries still retained the power of examining and superintending the schools. But otherwise the Act of 1861 loosened the tie between the Church and the school, and transferred many of the functions before discharged by the Church to the Universities and to the State.

So far the National System had proceeded, with extensions and modifications, upon the lines laid down by the Act of 1696. It was national in the sense that it was established by law; was in theory co-extensive with the country; and drew its resources from a statutory assessment. Its foundations had been laid by the Church; and although the exclusive control of the Church had become an anachronism, yet it had been indebted to the Church for a very large extension. In 1825, as we have seen, the Education Committee of the Church had been established: and this brought a large amount of voluntary effort to supplement the deficiencies of the statutory system. And it is to be noticed that the education thus given was not national in theory only, but also in reality. The parish schools educated the children, not of Presbyterians only, but of Roman Catholics. Long before the conscience clause existed, the General Assembly had expressly enjoined (in 1829) that the teachers should have directions that no instruction should be pressed on the children of Roman Catholics to which their parents or their priest had objected; and the evidence given before the Education Commission in 1864 showed that this regulation was

faithfully carried out. When building grants were first established for Scotland, no such objection was entertained to a conscience clause as was pressed by the National Society in England; and the feu-charters of aided schools accordingly contained from the first that conscience clause which was resisted in schools built by the Church of England.

The system might thus appear, in several respects, to have been capable of easy expansion. The report of the Commission which appeared in 1867 showed also that 80 per cent of these schools reached, or surpassed, the standard of fair efficiency. The buildings were, in the majority of cases, good. The religious instruction was in accordance with the views of the overwhelming majority of the population; and the consciences of the minority were in no way forced.

But, nevertheless, there were defects which rendered a change of system necessary. The parochial schools were avowedly insufficient to overtake the whole work; and they were supplemented in a way certain to lead to confusion and unnecessary expense. Rival systems competed with them, and instead of meeting deficiencies, these rival schools, from the fact that they often owed their origin to sectarian jealousy, too frequently overlapped one another. In addition to the parish schools, there were the schools of the General Assembly; those of the Free Church; those supported by the Society for the Propagation of Christian Knowledge, founded in the reign of Queen Anne; as well as those of the Episcopalians and Roman Catholics. The last two classes were, perhaps, necessary, unless a secular system were to be established by the State; but all the others were

separated by no difference of religious teaching, but only by distinctive management. The formulæ taught were identical; and the children attended the schools of rival sects indiscriminately; but the different sects found it necessary to maintain their position by showing that they were not inferior to others in their educational activity. Such rival schools were likely to exist, and did exist, side by side, where the supply was amply sufficient: there was no regulating hand which might assign to each its own territory, so that the general supply might be nowhere either inadequate or redundant.

But a statement such as the above gives no sufficient idea of the position of Scotch education at the date when it was brought to the test of the Revised Code.[1] As in England, so in Scotland, further inquiry was seen to be necessary; and accordingly a Commission of Inquiry was appointed after the example of the English Commission of 1861. Before considering the recommendations made by that Commission in 1867, it will be well to glance at the work done, and at the part the Parochial System had played in moulding the national character.

In the first place, the National System was not confined to the parish schools. In addition to these there were burgh or grammar schools, which were embraced within the scope of the Statutes which had built up Scotch education, and which were by no means dependent upon private benevolence, or given over to voluntary management. These schools were indeed

[1] See above, p. 68. The Revised Code was adopted in Scotland for examination; but by successive Suspensory Minutes, the original Code was retained for payment.

poorly endowed. But such revenues as they had were drawn from the common good or public funds of the burgh, and they were managed by the Town Councils. The qualifications of their teachers were carefully tested. They were not indeed able to carry on the education of their pupils so far as the leading English public schools. The country was too poor, and the need of gaining a livelihood at an early age was too imperative, to admit of a long time being spent before the serious work of life was begun. But within their own sphere they did a work which was unrivalled by the grammar schools of England with their vast endowments. They spread through the country a creditably high standard of education. They rested upon that most secure of foundations, the presence of a constant interest in, and demand for, higher education. All classes mingled together on their benches. Scanty as were their endowments, they were managed on a scale so economical that the fees were as small as possible. A long tradition of good educational methods had made their instruction most admirably fitted to call out originality and to stimulate industry. They were sending out pupils to all parts of the world to assume leading functions in every line of life. They made no pretence to very high or intricate scholarship; but their efficiency, so far as they went, was such as to call forth the astonishment of those who made inquiries on behalf of the Commissioners of 1864. They had been accustomed to those sluggish and slipshod methods which had lowered the grammar schools in England into institutions carried on solely for the benefit of some well-dowered incumbents, unnoticed and unpatronised by the class for whom they had been established. To

this the Scotch Burgh schools offered the most striking contrast.

But besides these Burgh schools, which were an integral part of the National System, the parish schools also carried on some work of a kind unknown to the English elementary schools. In these parish schools all classes mingled. The teacher, scanty as were his emoluments, had the dignity which belonged to a learned profession, to the recollection of a University career, and to a freehold tenure. The organisation of the parish schools was indeed better fitted to bring out in the teachers the qualities of scholarship and culture than the thorough technical training called for in an elementary school. In many cases, no other means of preparation for the Universities were open to large districts than those which were obtained in the parish schools. From these schools pupils passed directly to the Universities; and the interest and energy of the teachers were often devoted mainly to carrying on the higher instruction of a select few of his pupils. Side by side with the clergyman, and often a member of the same profession, waiting only for clerical preferment, the parish schoolmaster became a centre of culture in his district;[1] and by this means, if scholarship in Scotland reached no very distinguished standard as compared with the highest products of the larger English schools and the Universities, it had at least the advantage of wide and general diffusion, and of providing a ladder by which

[1] The description of the Scotch parochial teacher's life, in the opening chapter of *Old Mortality*, will occur to many readers, and it shows how the life, if one not without high ambitions, had its drudgery and its privations.

the humblest might rise to a distinguished place in the learned professions. If the battle of Waterloo was, according to the often-quoted saying, won in the playing fields of Eton, the success of Scotchmen in after life was often due to the training of the parish schools. The contrast between the two courses of education sums up many of the features that marked off Scottish from English national life.

But this distinctive peculiarity had its evident dangers. There was a strong temptation to the teacher of scholarship and culture to neglect the rank and file of his scholars for the selected few. To prepare two or three pupils annually for the University was a more attractive employment than the laborious drilling of the mass of the children in the rudiments of elementary education, especially to one whose classical training had been gained at the University. And it had the further advantage of increasing the reputation of the school, and promising better prospects of preferment to the teacher. Before the more imperious national duty of meeting the claims of every child to the first elements of education, the more ornamental scholarship imparted to a few must doubtless give way. But this change, however needful, might not be carried out without serious loss and disadvantage.

The publication of the Revised Code by Mr. Lowe for the first time brought the distinctive traditions of Scottish and English education into collision. The objections to that Code had been widespread in England; they were more serious still in Scotland. In the former many of the complaints against its operation had proceeded from the jealousy of the denominations, who

complained of what they alleged was a breach of faith in regard to the understanding upon which their voluntary efforts had been made. Whatever the justice of the objections in Scotland, they at least deserve the credit of being based on educational considerations, and of owing none of their urgency to sectarian jealousy.

To begin with, there was a general agreement in favour of certain parts of the Revised Code. The Education Committee of the Church, for instance, approved that Code "in so far as it aims at encouraging more regular attendance at school, promoting evening schools, estimating results before making grants, throwing greater responsibility on school managers, and, in connection with this, simplifying payments." These principles certainly formed a very important part of the Revised Code. If other authorities did not go so far in its favour, yet they admitted the need of greater thoroughness in inspection. The testimony of Her Majesty's Inspectors was uniformly favourable to the principle of the Revised Code. Even although it was only partially operative in Scotland, as we shall presently see, yet in 1867 the Commission were able to report that it had already produced good results in stimulating the education of the mass of the children.

But, on the other hand, there were objections which deserved careful consideration. At times the complaint was made, as in England, by inefficient teachers, who had before found themselves able to produce a few showy results amongst their selected pupils, and who, in the absence of individual examination, had known how to give an appearance of efficiency without any real thoroughness of teaching. But the traditions of the Scotch schoolmaster

naturally made him more prone to resent the outside interference with the details of organisation which the Revised Code involved. He held office *ad vitam aut culpam.* To a great extent he had been autocrat within his school. He followed his own methods, and while he accepted the judgment of an Inspector on the general efficiency of his school, he found his whole system disturbed when he was obliged to conform to strict and detailed rules as to the means by which the efficiency should be attained, or the exact character that it should assume. It was impossible for a profession at once to divest itself of these inherited ideas; and, although the feeling was one which might have to give way before a changed system, it does not on that account lose its title to a very considerable amount of respect.

But, besides this, it was urged, not by teachers only, that the peculiarity of the parish schools, to which we have already referred, of supplying a considerable amount of higher education, must necessarily disappear before the levelling influences of the Revised Code. "The tone and character of Scottish Education," it was urged, "would give place to the level uniformity presented by the English elementary schools, with their restricted aims and narrow field of work." The parish school had done for Scotland not only what the elementary schools had done elsewhere, but had provided that stepping-stone to the Universities which otherwise must have been supplied by a large organisation of secondary schools. "The Revised Code," it was said, "was intended for England; it is certain to take away from Scotland all that has maintained her educational standard so high."

In answer to this, it could be pointed out, as the inquiries of the Commission showed, that this peculiarity had been gained at the expense of other more essential functions of the Elementary Schools. The teachers had sometimes, in the words of one of the Assistant-Commissioners, "been satisfied if two or three came up to a vague standard in their own minds, and had neglected those who did not." "We found not unfrequently," he goes on, "a class of three or four boys in Latin, two of them, perhaps, the minister's sons and one the teacher's; about a fourth part of the school able to read well, and to write well in copybooks, and to do a little arithmetic; but the other three-fourths unable to spell, or to do the simplest sums in arithmetic, and able only to read indifferently." The Commission came to the conclusion that the Revised Code was not to be wholly rejected on this ground, but that some modification was necessary so as to extend its aims and scope before it could fairly be adopted as the basis of payment as well as of examination for Scotland.

But there was another principle in the Revised Code to which the objection was equally strong, and to which the report of the Commissioners was distinctly adverse. This was the condition of the fourth article, which defined the object of the grant to be "to promote the education of children belonging to the class who support themselves by manual labour." This was alleged on all sides to be not only impracticable, as implying an inquiry which would be universally resented, but opposed to the traditional feelings of the Scotch people. For ages all classes had mixed with one another on the benches of the parochial school. Other advantages

had been recognised in this besides those that were merely financial. The tone of the school had been raised; a new intellectual stimulus had been given; new interest had been added to the teacher's work. Scotsmen were naturally unwilling to admit a principle which might suitably be applied to a voluntary and purely charitable school supply, such as in England took the place of a national system, but which was inapplicable to a system which for ages had been established by Statute, supported by assessment, and open on equal terms to the children of all classes. On this point, at least, it was found that teachers, school managers, and inspectors were at one; and the Commission confirmed that verdict by reporting strongly against the intrusion into Scotch Education of a principle which had arisen solely because of the partial and tentative character of the educational provision in England.

There was another objection to the Revised Code, which belongs rather to detail than principle. It was pointed out that much injustice might be done by the application to Scotland of the rigorous test of payment by results, unless some provision were made for inequalities which would be caused by varying dates of inspection. The comparatively late harvest made the vacations correspondingly late; the scholars came back to country schools from their work in the fields late in autumn, with the necessary loss of some of what they had acquired by previous teaching. An inspection soon after their return would tell heavily against the grant; and although this would operate in the same way in England, it was felt to be a more serious grievance

where, as in Scotland, that grant came to the aid of a statutory system which looked for the rest of its support mainly to an educational assessment. The Commission admitted the possibility of the grievance; and urged the only possible solution of the difficulty in such an arrangement of inspectorial visits as might minimise, if it did not altogether remove, any just cause of complaint.

The advice of the Commission, on the whole, was in favour of the Revised Code, although with important modifications. The result of their recommendations was to maintain the arrangement which continued to be laid down in successive temporary Minutes from the introduction of the Revised Code down to the passing of the Act of 1872, under which the examination was conducted in accordance with that Code, while the payments were regulated by the former Minutes. The teachers still received augmentation grants proportioned to the grade of their certificate, and the stipends of the pupil-teachers were still made as personal payments.[1] There were evident objections to this arrangement; but it continued, as a temporary one, pending the removal by legislation of other defects in the Scotch Educational system.

These defects have already been partially stated. The denominational system, which existed much more in consequence of rivalries of management than of the demands of the scholars, was costly and uncertain. In one place it led to a redundant supply, while elsewhere it left deficiencies unprovided for. It led to a cumbrous,

[1] The Capitation Grants payable under the Original Minutes had never been extended to Scotland.

expensive, and perhaps untrustworthy system of inspection. The grants in aid, as administered, necessarily gave help to those districts which could meet these grants by ample voluntary contributions rather than to those that were most destitute. The Parochial System avowedly failed in the case of large towns and of outlying Highland or Island districts. On the whole, the Commission in 1867 reported that of some 500,000 children rather more than 90,000 were at no school at all; and that of about 400,000 at school only about 200,000 were at schools whose efficiency was tested by inspection. Further, the feeling of the country was ripe for some measure of compulsory attendance. No such tentative or permissive measure as might alone be ventured on in England was applicable to Scotland. Lastly, the principle of a local assessment must be extended, and its extension must be accompanied by the grant of authority, as school managers, to representatives of the class upon whom the extended assessment would be imposed. Upon these lines it was inevitable that any legislative changes should be based. The Church naturally felt jealous of the loss of that authority and superintendence which had hitherto been one of her functions. The nation, as a whole, felt some fear lest the re-organisation of a system which was the growth of centuries might follow too closely the lines laid down for England. The problem which now met the Legislature was how to recast and extend an already existing national education in such a way as to retain all that was best in Scotch educational traditions, and at the same time to add those new principles of general local assessment, popular local representation,

and universal compulsion, for which the nation was fully prepared.

2. *The Act of* 1872.

There had already been an attempt at legislation in 1862, before the appointment of the Commission of Inquiry. The report of that Commission had been followed by another abortive Bill in 1869. The effort failed again in 1871; and it was finally in 1872 that, under the guidance of Lord-Advocate Young, the system now in operation was established by the Act of that year. The peculiarities of that Act are best seen by contrasting its salient points with those of the Act of 1870 for England.

To begin with, the Act was not an Elementary Education Act only, as the English Act was by its very name. The Scotch Act was to provide education available "for the *whole* people of Scotland." There was no word of the principle embodied in the Revised Code which confined the education with which the State was concerned to that given to the children of the labouring class.

The Act did not itself contain, like the English Act, a restriction of the fee which might be exacted in aided schools, although that restriction was subsequently embodied in the Scotch Code, on the suggestion of the Board of Education which sat in Edinburgh for some time after the passing of the Act. The scope of the education which might be given was under no limitations, and might not only embrace, in the ordinary schools, instruction as high as any given in the old parochial schools, but also that which belonged properly to separate secondary

schools. These Burgh Schools, as they were called, had long been an integral part of the Scottish National System, supported by public funds, and managed by public and representative authorities. The Act of 1872, by placing these schools under the School Boards, by giving to them, under certain restrictions, assistance from the rates,[1] and, by laying down certain regulations as to their teachers and their inspection, only followed the lines which had already been laid down by the founders of the National System.

The first point of contrast, then, between the English system as established by the Act of 1870 and the Scotch system as reconstituted by the Act of 1872, consists in the fact that the latter was restricted to no special class in regard to the range of the population which it was to influence, and that it had broader educational aims. But this was not the only difference between the Scotch and the English Act. The latter had to deal with a state of things which previously had been due entirely to voluntary effort. That previous system had been avowedly tentative and partial: it rested upon no local assessment, was guided by no statutory local authority, and existed in any given locality only, as it were, by accident. In Scotland, on the other hand, there was a system, inadequate indeed, but affecting more or less the whole kingdom. Every parish had at least one school; it had a local rate, or assessment, imposed by Statute, and administered by an authority constituted

[1] This assistance was at first unduly restricted, and consisted only of the power to borrow on the security of the rates for the erection (not for the repair or improvement) of such schools. It was subsequently extended by the Act of 1878.

by law, and liable to be compelled by law to perform its functions in providing a certain amount of education for its own district. Voluntary effort had indeed supplemented that statutory provision; but voluntary effort had proved unequal to the task, and, instead of supplying deficiencies, had often produced a redundancy of school accommodation in particular places. What had to be done, then, was to enlarge the basis of local assessment, and at the same time to add the principle of representation in the formation of the local authority. School Boards in Scotland were not optional, but universal. They did not come in only in case voluntary effort failed to make provision for the wants of a locality, but the responsibility for the supply of school accommodation in the locality was at once imposed upon them. In England, again, a School Board might, under the Act of 1870, be created upon the deliberate vote of the locality, only to find itself charged with the administration of bye-laws, but without any function of school management. Such could not be the case in Scotland.[1] The same Act which erected a School Board for every parish or burgh in Scotland, also vested in that Board the existing Parish and Burgh Schools, with such endowments as belonged to them. The Board became at once not only charged with the administration of compulsory clauses, but also managers of schools.

[1] This statement must be to a certain extent qualified. There are a few parishes in Scotland which have no schools. But this arises only from the fact that burghs have in some cases grown up within parishes, and in these the parish school was identical with the burgh school. The Act allowed a separate School Board to burghs which had thus developed; and the landward part of the parish was thus left without a school of its own.

This brings us to another marked distinction between the English and Scotch Acts. In England, Parliament was not prepared in 1870 to establish a universal system of compulsion. That Act imposed no statutory obligation upon parents, and left it to local option to decide whether there should even exist any authority which might adopt such an obligation as a part of the bye-laws of the locality. But in Scotland the country was fully ripe for universal compulsion. In England that came only through the operation of the supplementary Acts of 1876 and 1880; and even then it was carried out through various agencies and on different terms, according to the variety of bye-laws. In Scotland it was imposed once and for all. The duty of the parent was distinctly set forth; the performance of that duty was enforced by uniform penalties; the same local agency in every case was appointed to administer this compulsory clause. In Scotland no bye-laws exist, because the Act itself lays down at once the measure of the obligation, and the means of discharging it.[1] Both the obligation and the means of obtaining exemption were, indeed, found in practice to be somewhat vague and indefinite. This flaw in the Act had to be corrected by subsequent legislation; but it was, on the whole,

[1] Section 73 of the Scotch Act states that a certificate of efficiency given by one of Her Majesty's Inspectors should exempt from the penalties of the Act. From the first the Departmental minute fixed the fifth standard as that upon which such a certificate should be obtained. But it remained doubtful what other means of obtaining exemption were open. Other statutes certainly provided loopholes of escape; and in practice a very small modicum of knowledge was often accepted by the Courts as entitling to exemption from the penalties of the law. Hence the necessity for subsequent legislation.

an advantage in Scotland that the compulsory clauses attained to definite and precise form, not through the means of bye-laws with their necessary varieties, but by the universal operation of successive Acts of Parliament.

Again, in England, one of the most severe struggles in Parliament had been over those clauses of the Act that related to religious education in rate-aided schools. As originally introduced, the English Bill had left this to be decided by the School Board in each case, subject, of course, to a conscience clause. But it was felt that sectarian differences were likely to be too bitter to be settled by local Boards, and that to leave these arrangements for future discussion might wreck the whole system. In Scotland no such violent difference was to be feared. The sectarian difficulty there had been one of school management, not of instruction. The parish schools had never been accused of proselytising, and a conscience clause had practically been observed in them, although very rarely taken advantage of. The overwhelming majority of the people were in practical agreement as to the formularies to be used, and no fear could arise lest hardship should be suffered by leaving this to the decision of the School Boards. It was accordingly left to School Boards, subject to a time-table conscience clause, to adopt such religious formularies as they might choose. It might, indeed, be contended from a clause in the preamble to the Act,[1] that the religious instruction

[1] "Whereas it has been the custom in the public schools of Scotland to give instruction in religion to children whose parents did not object to the instruction so given, etc." This clause was vigorously debated in the House of Commons; and the Opposition, led by Mr. (afterwards Lord) Gordon, were successful in forcing it upon the Government after a keen fight and by a narrow majority.

was intended to be in accordance with the "use and wont" of the Scotch Schools. But this has since been declared, on the opinion of the law officers, not to be the effect of the Statute; and although, in the great majority of cases, the Bible and the Shorter Catechism have been adopted as the text-books of religious instruction in the public or board schools of Scotland, there are cases in which different religious formularies have been introduced, and their introduction does not infringe the law.

This liberty accorded to School Boards, however, taken along with the fact that they have in the majority of cases adopted the formularies of the Presbyterian Churches, implies a corresponding obligation. The children of Roman Catholic, and, in most cases, of Episcopalian parents, may be withdrawn from such instruction. This leaves them at a disadvantage compared with the children of Presbyterian parents; and consequently, under the provisions of the Act, they may claim grants for their own denominational schools, even although these schools may stand side by side with public schools not completely full.

One other material point of distinction between the two Acts remains. In England the Act of 1870 came to supplement, not to supplant, an existing voluntary system. So large had been the work of that system, and so lavish its expenditure, that it was held to be unjust not to give it a fair, and even an advantageous, opportunity of establishing itself as an integral part of the educational machinery of the country. Accordingly, in England the Act continued school-building grants for a short time to voluntary managers, so as to enable

them to do their utmost before the extent of their efforts was measured, and the necessity for a School Board tested. But in Scotland no such case could be made out. The influence of the Church had lain in the parish schools, before supported by assessment on the heritors, and now to be supported by rates. These schools passed to the School Boards, and the efforts of voluntary managers were clearly superseded, save in exceptional cases, by the Boards. It was upon the Boards, then, or, in other words, upon the local rates, that the burden of filling up deficiencies would rest; and it was consequently deemed to be more fair that the benefit of the building grants should go to help the local rates. The policy of the Act, following the circumstances of the case, was precisely the opposite of that adopted in England.

Such were the chief features of contrast between the two systems. Let us next sum up shortly the substantive provisions of the Act of 1872, before we proceed to the modifications made by subsequent Statutes upon the system which it introduced, as well as the practical results of the legislation as a whole.

For the purposes of the Act the country was to be mapped out into districts, which corresponded generally to the parishes and burghs. These were, in certain cases, subject to modification or to union, and in the result the number of School Boards elected for the whole country was 984. The duty of arranging for the elections, and otherwise setting in motion the machinery which was to create School Boards, was assigned to a

temporary Board of Education, sitting in Edinburgh, which was also to supervise the operations of School Boards in first supplying the deficiencies of school accommodation. That Board of Education, which was nominated by the Crown, was to exist for three years, with power of prolongation for two years more by Order in Council.[1]

The electors of School Boards were to be all persons whose names were on the Valuation Roll, as owners or occupiers of £4 annual value. The School Boards were to hold office for three years; and, as a fact, the triennial elections of School Boards (except in one or two very exceptional cases, in which the first election was for some special reason postponed) recur in the spring of every third year, dating from the spring of 1873.

Upon the creation of School Boards they found themselves at once invested not only with the power of making a requisition upon the Parochial Board for a subvention from the rates, but also with a certain power of enforcing attendance at school; and further, with the functions of school managers. They were not merely to supplement an existing system: but, to begin with, they were to become the inheritors of the central part of that system, consisting of the burgh and parish schools, superseding the Town Council and the heritors. They could accept the transference of the voluntary denominational schools, which had grown up around the Parochial System; and, as a fact, these transfers

[1] In the result it was not only prolonged for these two years, but, by another Act of Parliament, in 1877, received an extension of tenure for one year more.

began to be effected, from the first, in considerable numbers.

But when they had inherited, or accepted as a gift, all that the existing system had to leave them, there were still deficiencies. The extent of these deficiencies it was the first duty of the School Board to ascertain and report to the Board of Education in Edinburgh; and the supply of any deficiency it became then the duty of the School Board to undertake, and of the Board of Education, if necessary, to enforce. Each report made by the School Board was to be carefully tested by the Board of Education, who satisfied themselves as to the propriety of the proposals of the School Board through the reports of their own officers of inquiry. The applications for school-building grants (which could be made only by School Boards, and were limited in date to the period ending with the close of 1873) were addressed to the Scotch Education Department, by whom the whole Parliamentary grant was administered; but the applications were entertained only if recommended by the Board of Education, whose function it was to superintend and ratify all action taken by the School Boards for the supply of necessary school accommodation.

So much for the duties of the School Boards as regarded the school supply, in respect of which they were responsible to the Board of Education. Their next function was that of school managers, and in this they were made responsible, so far, to the Scotch Education Department, which was a new branch of the central administration in the Privy Council office, created by the Act of 1872. The schools under their charge were

"public" schools; and in the management of these schools they were obliged to follow certain rules laid down by the Act. They must be worked with a time-table conscience clause; and the time-table must be approved by the Scotch Education Department. No teacher could be appointed to the charge of a public school save one who possessed a certificate of competency, the granting of which depended upon the same Department.[1] And further, every public school must at all times be open to the visits of the Inspectors as officers of that Department.

To these conditions the School Boards were compelled to submit in the management of their schools. But there were the strongest inducements to them to conform still further to the rules of the Scotch Education Department. It was only by such conformity that a School Board could earn a share in the Parliamentary grant. The conditions on which this grant was to be paid were to be suggested, in the first instance, by the Board of Education;[2] but the Scotch Education Department was to be responsible for the Code submitted annually to Parliament, and upon the Department therefore rested the adjustment, and the modification from time to time, of the conditions of annual grant.

But on one or two points School Boards were absolutely free as regards the management of their schools. They might, during the hours set apart for religious instruction, adopt any religious formula that

[1] There were certain temporary exceptions, relating to actual holders of office in burgh or parochial schools.

[2] With the new system the principle of payment by results was necessarily, and without question, introduced as one of the conditions of the Code.

they pleased. They were subjected to no such limitation of choice as was imposed upon the School Boards in England, from the fear that freedom might lead either to prolonged sectarian struggles or to sectarian injustice. The result has justified the arrangement adopted for Scotland, inasmuch as disputes on the subject have been rare.

Lastly, there was another function of School Boards in regard to which they were answerable only to their own constituents. This was the enforcement of attendance at school. It has already been shown that there was no provision for bye-laws in the Scotch Act. Such as it was, the mandate was the same for all School Boards, and it came into effect without any choice on their part, and without any necessity for confirmation by the Education Department. It was the duty of the parent to provide elementary education for his child between five and thirteen, and if unable from poverty to do so, he could appeal to the Parochial Board for aid, and it was the duty of the School Board to prosecute him if he did not; but the Act gave no definition of what constituted adequate provision, and it gave no power to the Scotch Education Department to compel a School Board to use the compulsory powers vested in them. For this the Boards were responsible only to their own consciences and to their constituents.

Thus, then, was constituted the framework of the new system. First stood the central authority, in the Scottish Committee of Privy Council, imposing certain conditions of school management more or less stringent, according as grants were or were not sought. Next came the Board of Education, which was to aid and

guide the School Boards in determining how deficiencies were to be supplied, and to prevent any danger of a neglect of those distinctive principles of education upon which Scotland prided herself.[1] Lastly came the local representative authorities or School Boards, managing schools, supplying new accommodation, and compelling parents to make use of it. Side by side with the public schools, the denominational schools, with their voluntary managers, still existed; but their numbers were certain to diminish very rapidly as the School Board system extended itself.

3. *Subsequent Legislation.*

On this footing the educational system of Scotland stood till 1878, when the first supplementary Statute was passed. This was in great measure devoted merely to removing difficulties of working which the experience of six years had brought to light. The previous Act had not made sufficient provision for circumstances which might arise in connection with the resignation of members of School Boards, the failure of a quorum, and the like; and these contingencies were provided for without any alteration whatever of system. The powers of the School Boards had been found to be unduly restricted as regarded the higher class schools which had been placed under their management; and they were now enabled, with the sanction of the Scotch Education Department, to make contributions from the School Fund towards the efficiency of these schools.

[1] On the expiry of the Board of Education in 1878, the Department, in terms of the Act, succeeded to those of its functions which were not necessarily of a temporary character.

The power of compulsory purchase of school sites, which had always belonged to School Boards in England, was for the first time conferred upon those in Scotland by this new Act. An appeal to the Sheriff Court was given in cases where the Parochial Board refused to pay the school fees of parents who pleaded poverty. But the most important part of this Act of 1878 was that which related to the employment of children. Hitherto the compulsory powers rested solely upon the somewhat vague provisions of the Act of 1872, which, on the one hand, required a parent "to provide elementary education in reading, writing, and arithmetic for his children between five and thirteen years of age;" and, on the other, imposed upon the employer of any child under thirteen, who had not either attended school for three years previously, or obtained a certificate of ability to read and write, the responsibilities of the parent with respect to the education of that child. But these provisions supplied a net with very wide meshes indeed. The Act of 1878 for the first time made these meshes rather more narrow. The Factory and Workshop Act of the same year contained elaborate educational provisions for children employed in factories. But for other children this new Education Act laid down new rules. No child was to be employed, upon any pretext, under ten years of age; no child between ten and fourteen was to be employed, even for half-time, without having passed a standard to be fixed by the Scotch Education Department for half-time employment;[1] and full-time employment was to

[1] The standard fixed by the subsequent Minute of the Department was the third.

be open to such children only on the certificate granted by an Inspector under the Act of 1872, that certificate, under existing regulations, being granted only on the fifth standard examination. School Boards were also invested with certain powers of dealing with the casual employment of children on the streets after a certain hour in the evening.

The effect of this measure was to supplement the compulsory powers of School Boards, and to enable them to make, by a simultaneous movement all along the line, that step in advance which was being made by the School Boards in England through the casual and varying machinery of the bye-laws. The Scottish School Boards found their bye-laws so far made for them by the Act.

But the net was still one of too wide meshes. The compulsory powers in Scotland had the advantage of uniformity and universal operation. But they still wanted certain provisions of the English Act which enabled School Boards to deal summarily with cases of habitual neglect. It was necessary to prove against a parent, not neglect merely, but "gross" neglect. That gross neglect must not only have been shown in the past, but must be "habitual" and presently continuing. The parent could still plead a "reasonable" excuse, and the Act nowhere stated what a reasonable excuse was to be. Nor was there any definition of what constituted regular attendance; so that a parent might hope to satisfy a court of law by what was only a show of sending his child to school. The Act gave opportunities to the courts of law of practically annulling the compulsory powers of School Boards; and it is to be feared that the

courts sometimes took advantage of the opportunities. Decisions were quoted which accepted nominal attendance as sufficient; others which affirmed that the duty imposed upon the parent might be postponed to any part of the period, however short, which elapsed before the child was thirteen. School Boards all over the country confessed themselves helpless in the face of these decisions; and the compulsory clauses might soon have become inoperative. To meet these difficulties the next Act, that of Mr. Mundella, was passed in 1883, which very greatly enlarged the compulsory powers, and made the net one through which it is difficult for any offender to escape. Under that Act it ceased to be necessary to prove either "gross" or presently continuing neglect. This was an important advance; but the improvement in the machinery was still greater. The Act of 1876 had already established for England what was called an Attendance Order—being an order issued by a court, upon proved neglect, requiring the attendance of the child named in the Order, at a specified school, on every occasion when the school is open. By the Act of 1883 this was extended to Scotland; but with this important difference, that whereas the penalty in England is restricted to 5s., in Scotland it amounts to 20s., with imprisonment as an alternative. The efficacy and advantage of the Attendance Order rest upon the fact that a contravention of its provisions admits of the clearest proof, and that not the most perverse administrator of the law can refuse to recognise a failure to comply with the explicit injunctions of the Order which he himself has issued. And the procedure is made even more certain by the fact that to procure this

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The Act of 1883 supplied two other omissions The Education Act of 1878 had prevented the employment, without a certificate, of children under fourteen; but it had made no provision for compelling their attendance at school. This provision was now added. Further, the Factory and Workshop Act of 1878 permitted half-time employment in factories without any qualifying standard; and, as a consequence, the factory children consisted largely of a neglected class, drafted from inefficient schools, and unable to profit by the partial schooling which they were required to have. Other half-time employment was open only to children who had passed the third standard, and there could be no valid reason for denying to children in factories that protection which was given to children employed in the fields. The Act accordingly extended, after a certain interval, the third standard requirement as a condition of *all* half-time labour, whether in the factories or elsewhere. The useful provision of the English Act of 1893, by which the lowest age for exemption is raised from ten to eleven (which the Bill now before Parlia-

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ment proposes to raise to twelve) has not yet been extended to Scotland.

As the law now stands, Scotland is in certain respects in advance of England as regards compulsion. In both countries the principle of compulsory attendance is now universal; but in Scotland its enforcement rests solely with School Boards, in England with School Boards or School Attendance Committees.[1] The same general procedure is open in both countries to prove neglect on the part of the parent; and in both countries the efficacious and certain means of dealing with careless parents, by means of an Attendance Order, may be resorted to. Under the age of ten years in Scotland, and eleven years in England, no child can be received into any employment, nor is he allowed to be without education. When the child is between these ages and thirteen, he may in England be taken into *half-time* employment, only provided that he pass the standard fixed by the bye-laws of his district for partial exemption from school attendance.[2] In Scotland a child between these ages may be taken into *half-time* employment, only provided that he pass the third standard—that being fixed for the whole country.[3] There remains the case of children between thirteen and fourteen. In England half-time employment is open to such children, either on the strength of the standard of proficiency or previous attendance prescribed by the Act of 1876, or on the strength of that fixed by the bye-laws of the district, or under the provisions of the Factory and Workshop Act. In Scotland a child between thirteen

[1] See above, p. 113. [2] By Sec. 4 of the Act of 1880.
[3] By Sec. 6 of the Act of 1883.

and fourteen cannot have half-time employment without the third standard certificate, just as in the case of the child between ten and thirteen.

So far as the Education Acts are concerned, full-time employment seems to be open to any child in Scotland over ten, as soon as he has passed the fifth standard, and to any child over eleven in England as soon as he has passed the standard, whatever it may be, which has been fixed by the bye-laws of his district.[1] It may be a matter of some difficulty to raise the standard beyond the fifth; but unquestionably there is much hardship in the case of a clever, but it may be physically weak, child, who passes the fifth standard at the age of ten or eleven, and is then thrown into full-time employment. For such a child two or three years of school would often be more useful, and the strain of early employment more hurtful, than to the duller, but physically stronger, child.

4. *Progress since* 1883.

Before summing up the results of the system, as shown by the most recent statistics, it may be well to give a short retrospect of the educational history of Scotland during the last thirteen years. Here, as in the case of England, the changes comprise a few legislative enactments, which were required to fill up gaps; but for the most part they consist of alterations and

[1] Where it has devolved upon the Education Department to frame bye-laws under the Act of 1880, the same standards (third and fifth) have usually been adopted for half-time and full-time employment respectively, as are fixed by the Scotch Education Acts.

developments in the administrative machinery, and of the opening up of new spheres of work.

1. We have already seen that, in 1872, a separate Education Committee had been established for Scotland. But the same Ministers continued to be responsible for both countries, and the administration was not practically separated, until the passing of the Secretary for Scotland Act in 1885. By this Act, the Secretary for Scotland was made Vice-President of the Scottish Committee. The Lord President remained the head of the Scottish as well as of the English branch. But the ordinary administration was entirely separated, and the Secretary for Scotland is responsible for the policy by which Scottish education is guided. The Lord President can, indeed, maintain a most advantageous balance between the two departments. But although the Scotch Education Department continues to be entirely distinct from the office of the Secretary for Scotland, and is still one of the branches of the Privy Council Office, the important point has been gained that the responsibility, both for its legislative proposals and for its administrative work, rests with a Minister who is intimately associated with the general guidance of Scottish administration.

2. The national system of education in Scotland has never been confined to elementary education; and this fact was emphasised by the range given to the Act of 1872. The Burgh or Grammar Schools had been placed under the management of the School Boards by that Act, and the interests of higher education did not fail to receive some attention from the outset. But for some years after the passing of the Act of 1872, the

work of the Department was necessarily devoted chiefly to the completion of the system of elementary education, and the higher schools were not brought within its scope. In 1878, certain legislative steps were taken with regard to these schools; but several years yet intervened before any practical action could be taken by the Department with regard to them. The first important step in this new work was taken in the Educational Endowments Act of 1882, which established an executive Commission, presided over by Lord Balfour of Burleigh. During the next few years, an enormous amount of work was accomplished by that Commission. The whole administration, both of the strictly Educational Endowments, and of those charitable endowments whose original purposes had failed or become insignificant, was overhauled. In the end, 367 schemes received the approval of Her Majesty in Council, and by means of these the endowments were turned to the best account. The "Hospital" system was virtually brought to an end, and the means was provided, in a large number of districts, whereby children, who proved themselves qualified for it, were enabled to rise from the ordinary schools, and to obtain the full advantage of higher education. Provision was at the same time made for the audit of all endowment accounts, and for the regular inspection of all endowed schools by the Scotch Education Department. By this means, a provision of the Act of 1878, whereby the Department might inspect the Burgh Schools, became for the first time operative; and in 1886, after a delay of eight years, a system of Higher Inspection, extending over all Higher Class Schools, whether Endowed Schools, Burgh Schools, or

schools under voluntary management, was established. In connection with this, a system of Leaving Certificate Examinations, which were recognised by various professional associations, and by the Universities both of England and of Scotland, was instituted. The range and importance of this branch of the work of the Department may be estimated from the fact that 73 higher schools were last year inspected, 30 being Burgh Schools, 24 Endowed Schools, and 19 schools under voluntary management; while the number of candidates in the Leaving Certificate Examination, which in 1888 was 972, was last year 13,173. No better proof could be given that the system has adapted itself to the requirements of the country.

The stimulus thus given to higher education received recognition from Parliament in 1892. In that year owing to the establishment of Free Education for England, at the expense of the Imperial Exchequer, an equivalent grant became due to Scotland, where Free Education had at first been established by a sum allocated out of the local taxation account. Scotland now obtained a grant for Free Education from the Imperial Exchequer; and out of the portion of the Local Taxation Account thus liberated, an annual sum of £60,000 was assigned for higher education, and to meet the expense of higher inspection and of the Leaving Certificate Examination (hitherto carried out at the cost of the schools and candidates). As to the method of distributing this grant for higher education, a somewhat keen discussion arose. It was at first proposed that it should be distributed in proportion to the work done, and upon a uniform system; but this principle was assailed in

Parliament, and eventually, in May 1893, a Minute was adopted which assigned the sum to the various counties in proportion to their population, and left it to each of the County Committees, then established, to submit a scheme of its own for the approval of the Department. This plan did not obtain universal approval, and was not adopted without considerable remonstrance; and its natural effect has been to introduce a somewhat perplexing variety of system, and perhaps to dissipate the amount amongst too many schools, at some sacrifice of efficiency. There are, however, objections to a complete reversal of a system which is yet upon its trial, and a Minute which has recently been issued, providing for the election of new committees at the close of the first triennial period, although it enlarges the constitution of the committees, and attempts to secure some additional uniformity of system, has not gone so far as to reverse the main principle of the former Minute, as it was urged by some that it might with some advantage do.

Scotland anticipated England in obtaining a Technical Education Act in 1887 (the scope of which was somewhat enlarged by an amending Act in 1892). It gives power to School Boards to establish Technical Schools; but as yet the power has been used only to a very slight extent. This is probably due to the facts that such institutions are frequently established by managers whose main objects are more specialised than those of School Boards; that other funds are now at the disposal of the County and Town Councils, under the Local Taxation (Customs and Excise) Act 1890, for making contributions to these institutions; and also that, in the ordinary schools,

and more particularly in the Evening Continuation Schools, School Boards can embrace a considerable amount of technical education with more convenience and at less expense than in schools specially devoted to that subject. Nor must it be forgotten that technical education is still a somewhat indeterminate term, and that its relations to secondary education generally have not yet been the subject of any clear or scientific settlement.

4. As in England, so in Scotland, these years have been marked by very decided changes in the Code. Scotland did not adopt the changes, somewhat larger in appearance than in reality, which were embodied in the English Code of 1882, and the reception which these changes obtained in England was not such as to make this backwardness matter of regret. But in 1886 a very decided change was introduced into the Scottish Code, by which all the classes under Standard III. were relieved from individual examination, and the grant for them was paid upon a general report. This virtually abrogated for about one half of the scholars the obnoxious principle of the Revised Code, and was the first decided abandonment of that principle in either country; and after a few years' interval, during which the effect of the relaxation was carefully tested, the change was carried still further in the Code of 1890, and the whole of the payments (with the exception of those for specific subjects) was made to depend upon average attendance, and a general report. The testimony of the Inspectors supports the view that this has had a good result, and has not been attended by any of the dangers which relaxation in the severity of the test might have been

expected to produce. But the annually recurring inspection, which is still sufficiently thorough to detect any nascent symptoms of carelessness or inefficiency, is still maintained; and there is no evidence that it is felt to be irksome by teachers, that school managers would welcome its abandonment, or that it could be remitted without undermining the public confidence in our Scottish schools.

5. Free Education. What has to be said on this has been to some extent anticipated in dealing with the recent history of Education in England. The Local Government (Scotland) Act was passed in 1889; and that Act dealt with certain sums, the product of Probate and Licence Duties, which were assigned to the Local Taxation (Scotland) Account. The corresponding sums in England had been assigned to relief of rates. But in response to the unanimous feeling of Scottish members, the Government of the day assigned a substantial proportion (calculated at £247,000 a year) towards the relief of fees. There was, it is to be observed, no special Act for Scotland establishing what is called "Free" Education, or giving to any parent the right to demand free education for his child. The hand of the legislature is seen only in the assignment of money for the purpose. The conditions upon which that money is distributed are embodied only in the Code or Minutes of the Scotch Education Department. There is nothing in law to prevent all the school managers in Scotland from coming to the determination to refuse the Fee Grant, and to continue to charge fees; and no parent could, in law, prove a grievance were this done. This fact, however, is one rather of abstract speculation than of practical

importance; and it does not seem doubtful that—even were School Boards so far to disregard the wishes of their constituents as to refuse compliance with the conditions on which the Fee Grant may be earned—the Department possesses abundant powers to deal with such an emergency.

The sum thus available as a compensation for the loss of fees, was sufficient to warrant the Department in demanding the absolute remission of fees for all children under Standard IV., and the partial remission of fees in Standards IV. and V. It should be observed that the regulations in Scotland did not, like the English Act of 1891, pay any regard to the previous rates of fees, or allow any surplus fee to be continued. The regulations were, on the contrary, absolute; a school might fulfil them by absolutely abolishing fees in the Standards covered by the regulations, or it might refuse the Fee Grant and continue to charge fees. But it could not, as in England, continue a remnant of fees based on the state of matters before the new regulation was introduced. There were obvious advantages in this; inasmuch as under the English rule, it was only the schools which had previously charged the highest fees, and were thus, presumably, providing for a comparatively well-to-do class, which were enabled still to draw a certain revenue from fees. In Scotland, no such retrospect was allowed; and the only exception to the general rule was in the case of certain School Boards, who were permitted to retain fees in a small number of their schools, provided that the accommodation in the other schools was ample for all who desired free education.

In 1890, under the Local Taxation (Customs and

Excise) Act, a further sum of £40,000 was added to the amount already available for relief of fees; and, as a consequence, the Department, in increasing the capitation grant, demanded that fees should now be entirely abandoned for all children up to and including the fifth standard (so as to make the relief co-extensive with the whole range of compulsory education). This demand was subsequently increased so as to cover all children between five and fourteen years of age (*i.e.* the school age as laid down in the Education Acts); and since 1893, the relief must extend to all children between three and fifteen, as in England. As a fact, out of some 700,000 registered scholars, fees are continued in the case of about 20,000 (or less than 3 per cent) only; whereas in England there are still about 780,000 fee-paying scholars, out of a total of 5,300,000.

The financial basis of the arrangement was altered in 1892. By the Education and Local Taxation Account (Scotland) Act of that year, the burden originally placed upon Scottish resources by the Local Government Act, was transferred to the Treasury, on the ground that the Treasury paid the Fee Grant for England under the English Act of 1891. The Act does not prescribe definitely what is to be the proportion between the English and Scottish Grants; but the arrangement then made was one which was accepted as regulating the general financial relations of the countries, viz. that the Scottish share should be eleven-eightieths of that assigned to England. Whatever questions may arise as to the actual payments due under that arrangement, no change was made in the accepted terms until the present financial

year, when the grant was fixed for Scotland, as for England, upon the basis of a capitation of 10s. on the average attendance. The sum of £40,000 is still available under the Act of 1890, as well as a possible balance under section 2 (6) of the Act of 1892.

6. Blind and Deaf-Mute Children. By an Act of 1890, better provision was made for the education of these afflicted children, and School Boards were charged with the duty, not only of providing for their education, but also of paying, where the parent could not do so, such boarding and travelling expenses as might enable these children to be educated in institutions specially devoted to their careful training.

7. Proposals have from time to time been made for increasing the stringency of the compulsory clauses. It is felt that the age of ten is too young either for total or partial exemption from school attendance, and a change corresponding to that made by the English Act of 1893 (by which it was raised to eleven) would probably be welcomed in Scotland. On the other hand, great regret is felt that children so often leave school entirely after passing the fifth standard, and that, as a consequence, the modicum of knowledge acquired is so soon forgotten. It must be observed that it is the brightest child who passes most early the compulsory standard, and it is for that child, consequently, that the advantage of a longer attendance—where it would be most valuable—is lost. It has frequently been suggested that this admitted evil should be dealt with by raising the compulsory standard to the sixth; and much may, no doubt, be said for this. But in a compulsory standard a pass must always be given to a bare minimum of know-

ledge; and what is wanted is rather ease and readiness in the application of knowledge, than a mere extension of the range of the pass. The Department has endeavoured to provide a test of this higher kind in the *Merit Certificate*, instituted in 1891, which is granted only to those pupils who show that their knowledge of elementary subjects is full, and can be readily applied. This had, down to 1895, been issued to more than 6000 pupils. A far larger number ought to obtain it: but if such a test could be met more generally, this would be in itself a proof that a range of education was attained higher than is implied in any bare pass, whether in the fifth or in a higher standard.

8. In 1893, an important extension was given to the powers of School Boards in dealing with wastrel or neglected children. The Act of 1872 gave School Boards the power themselves to establish ordinary industrial schools. But they had no power of contributing to such schools established by others, and no power of establishing Day Industrial Schools, which form a most valuable bridge between that more hopeless range of work, which comes within measurable distance of prison administration, and the operations of the ordinary school. Both these powers were given to School Boards by the Day Industrial Schools (Scotland) Act 1893.

5. *Results.*

It remains to glance at the results of the Act of 1872, and the supplementary Acts as seen in the latest

statistics. We have already seen that, when the Commission of Inquiry reported, they believed that, out of some 500,000 children, rather more than 400,000 were in attendance at some school, and about 200,000 at inspected schools. In 1873, when, it is to be remembered, the Act had already given a stimulus, although it had not yet produced direct results, the number of scholars whose names were on the books of some inspected school had grown to about 280,000, and the average attendance had reached 220,000. During these seven or eight years, then, a considerable advance had been made, but it still left much work for the new system to overtake. We can now see the effect of twenty-three years of that system. During that time the progress has been very remarkable. The schools under inspection have increased by one-half, having risen from 2000 to more than 3000. The number of school places provided has much more than doubled, being now 789,000, as compared with less than 300,000 in 1873. The number of scholars whose names are on the books of inspected schools has more than doubled, being 708,000 now as against the 280,000 in 1873. The average attendance has risen from 220,000 to 587,000. Owing to the abolition of individual examination as the basis of payment, it is no longer possible to examine the statistics of individual results. But as regards specific subjects, where individual payment still prevails, we find that while in 1874 only 4400 scholars were presented for examination in these subjects, in 1895 the number exceeded 48,000.

These results have not, of course, been attained without a large expenditure. This may be roughly estimated,

for the fifty-seven years of the Department's administration, as follows:—

Total Expenditure from Parliamentary Grant (1839-1882), ...	about	£14,500,000
Rates and Subscriptions to meet the Proportion of this paid as Grants for Maintenance, ...	,,	10,000,000
Total Subscriptions to meet Building Grants, .	,,	230,000
Total Subscriptions for Building without Grants, ...	,,	170,000
Total Loan sanctioned for Building, . .	,,	5,700,000
Total . . .		£30,600,000

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